

# House Study Bill 301

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
JOINT APPROPRIATIONS  
SUBCOMMITTEE ON HEALTH  
AND HUMAN SERVICES)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations for health and human  
2 services and including other related provisions and  
3 appropriations, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1130JB 82  
6 pf/gg/14

PAG LIN

1 1 DIVISION I  
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS  
1 3 ELDER AFFAIRS  
1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is  
1 5 appropriated from the general fund of the state to the  
1 6 department of elder affairs for the fiscal year beginning July  
1 7 1, 2007, and ending June 30, 2008, the following amount, or so  
1 8 much thereof as is necessary, to be used for the purposes  
1 9 designated:  
1 10 For aging programs for the department of elder affairs and  
1 11 area agencies on aging to provide citizens of Iowa who are 60  
1 12 years of age and older with case management for the frail  
1 13 elderly only if the monthly cost per client for case  
1 14 management for the frail elderly services provided does not  
1 15 exceed an average of \$70, resident advocate committee  
1 16 coordination, employment, and other services which may include  
1 17 but are not limited to adult day services, respite care, chore  
1 18 services, telephone reassurance, information and assistance,  
1 19 and home repair services, and for the construction of entrance  
1 20 ramps which make residences accessible to the physically  
1 21 handicapped, and for salaries, support, administration,  
1 22 maintenance, and miscellaneous purposes and for not more than  
1 23 the following full-time equivalent positions:  
1 24 ..... \$ 4,623,306  
1 25 ..... FTEs 34.50  
1 26 1. Funds appropriated in this section may be used to  
1 27 supplement federal funds under federal regulations. To  
1 28 receive funds appropriated in this section, a local area  
1 29 agency on aging shall match the funds with moneys from other  
1 30 sources according to rules adopted by the department. Funds  
1 31 appropriated in this section may be used for elderly services  
1 32 not specifically enumerated in this section only if approved  
1 33 by an area agency on aging for provision of the service within  
1 34 the area.  
1 35 2. Of the funds appropriated in this section, \$2,788,223  
2 1 shall be used for case management for the frail elderly. Of  
2 2 the funds allocated in this subsection, \$1,385,015 shall be  
2 3 transferred to the department of human services in equal  
2 4 amounts on a quarterly basis for reimbursement of case  
2 5 management services provided under the medical assistance  
2 6 elderly waiver. The department of human services shall adopt  
2 7 rules for case management services provided under the medical  
2 8 assistance elderly waiver in consultation with the department  
2 9 of elder affairs. The monthly cost per client for case  
2 10 management for the frail elderly services provided shall not  
2 11 exceed an average of \$70.  
2 12 3. Of the funds appropriated in this section, \$200,198  
2 13 shall be transferred to the department of economic development  
2 14 for the Iowa commission on volunteer services to be used for  
2 15 the retired and senior volunteer program.

2 16 4. Of the funds appropriated in this section, \$130,000  
2 17 shall be used to fund two additional long-term care resident's  
2 18 advocate positions.  
2 19 5. Of the funds appropriated in this section, \$15,000 is  
2 20 allocated for costs associated with the Alzheimer's disease  
2 21 task force established pursuant to 2007 Iowa Acts, Senate File  
2 22 489, if enacted.

2 23 6. Of the funds appropriated in this subsection, \$150,000  
2 24 shall be used for implementation of the substitute decision  
2 25 maker Act pursuant to chapter 231E, to establish the state  
2 26 office.

2 27 HEALTH

2 28 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
2 29 appropriated from the general fund of the state to the  
2 30 department of public health for the fiscal year beginning July  
2 31 1, 2007, and ending June 30, 2008, the following amounts, or  
2 32 so much thereof as is necessary, to be used for the purposes  
2 33 designated:

2 34 1. ADDICTIVE DISORDERS

2 35 For reducing the prevalence of use of tobacco, alcohol, and  
3 1 other drugs, and treating individuals affected by addictive  
3 2 behaviors, including gambling and for not more than the  
3 3 following full-time equivalent positions:

3 4 ..... \$ 1,771,890  
3 5 ..... FTEs 4.35

3 6 The requirement of section 123.53, subsection 3, is met by  
3 7 the appropriations made in this Act for purposes of addictive  
3 8 disorders for the fiscal year beginning July 1, 2007.

3 9 2. HEALTHY CHILDREN AND FAMILIES

3 10 For promoting the optimum health status for children,  
3 11 adolescents from birth through 21 years of age, and families,  
3 12 and for not more than the following full-time equivalent  
3 13 positions:

3 14 ..... \$ 2,369,438  
3 15 ..... FTEs 12.95

3 16 a. Of the funds appropriated in this subsection, not more  
3 17 than \$645,917 shall be used for the healthy opportunities to  
3 18 experience success (HOPES)=healthy families Iowa (HFI) program  
3 19 established pursuant to section 135.106. The department shall  
3 20 transfer the funding allocated for the HOPES=HFI program to  
3 21 the Iowa empowerment board for distribution and shall assist  
3 22 the board in managing the contracting for the funding. The  
3 23 funding shall be distributed to renew the grants that were  
3 24 provided to the grantees that operated the program during the  
3 25 fiscal year ending June 30, 2007.

3 26 b. Of the funds appropriated in this subsection, \$325,000  
3 27 shall be used for the assuring better child health and  
3 28 development initiative II (ABCDII). It is the intent of the  
3 29 general assembly that the department implement the  
3 30 recommendations of the ABCDII clinical panel to the Iowa early  
3 31 and periodic screening, diagnostic, and treatment services  
3 32 healthy mental development collaborative board regarding  
3 33 changes to billing procedures, codes, and eligible service  
3 34 providers.

3 35 3. CHRONIC CONDITIONS

4 1 For serving individuals identified as having chronic  
4 2 conditions or special health care needs and for not more than  
4 3 the following full-time equivalent positions:

4 4 ..... \$ 1,742,840  
4 5 ..... FTEs 4.30

4 6 4. COMMUNITY CAPACITY

4 7 For strengthening the health care delivery system at the  
4 8 local level and for not more than the following full-time  
4 9 equivalent positions:

4 10 ..... \$ 1,758,147  
4 11 ..... FTEs 10.75

4 12 a. Of the funds appropriated in this subsection, \$100,000  
4 13 is allocated for a child vision screening program implemented  
4 14 through the university of Iowa hospitals and clinics in  
4 15 collaboration with community empowerment areas.

4 16 b. Of the funds appropriated in this subsection, \$159,700  
4 17 is allocated for an initiative implemented at the university  
4 18 of Iowa and \$140,300 is allocated for an initiative at the  
4 19 state mental health institute at Cherokee to expand and  
4 20 improve the workforce engaged in mental health treatment and  
4 21 services. The initiatives shall receive input from the  
4 22 university of Iowa, the department of human services, the  
4 23 department of public health, and the mental health, mental  
4 24 retardation, developmental disabilities, and brain injury  
4 25 commission to address the focus of the initiatives. The  
4 26 department of human services, the department of public health,

4 27 and the commission shall receive regular updates concerning  
4 28 the status of the initiatives.

4 29 5. ELDERLY WELLNESS

4 30 For promotion of healthy aging and optimization of the  
4 31 health of older adults:

4 32 ..... \$ 9,233,985

4 33 6. ENVIRONMENTAL HAZARDS

4 34 For reducing the public's exposure to hazards in the  
4 35 environment, primarily chemical hazards, and for not more than  
5 1 the following full-time equivalent positions:

5 2 ..... \$ 747,960

5 3 ..... FTEs 1.75

5 4 Of the funds appropriated in this subsection, \$121,000  
5 5 shall be used for implementation and administration of 2007  
5 6 Iowa Acts, House File 158, if enacted, relating to blood lead  
5 7 testing of children.

5 8 7. INFECTIOUS DISEASES

5 9 For reducing the incidence and prevalence of communicable  
5 10 diseases and for not more than the following full-time  
5 11 equivalent positions:

5 12 ..... \$ 1,640,571

5 13 ..... FTEs 5.75

5 14 a. Of the funds appropriated in this subsection, \$100,000  
5 15 shall be used to fund the position of a bureau chief for the  
5 16 center for acute disease epidemiology (CADE).

5 17 b. Of the funds appropriated in this subsection, an  
5 18 increase of \$260,608 is provided for the purchasing of  
5 19 immunizations.

5 20 8. PUBLIC PROTECTION

5 21 For protecting the health and safety of the public through  
5 22 establishing standards and enforcing regulations and for not  
5 23 more than the following full-time equivalent positions:

5 24 ..... \$ 2,591,333

5 25 ..... FTEs 119.50

5 26 a. Of the funds appropriated in this subsection, \$643,500  
5 27 shall be credited to the emergency medical services fund  
5 28 created in section 135.25. Moneys in the emergency medical  
5 29 services fund are appropriated to the department to be used  
5 30 for the purposes of the fund.

5 31 b. Of the funds appropriated in this subsection, \$23,810  
5 32 shall be used as additional funding for the office of the  
5 33 state medical examiner.

5 34 c. Of the funds appropriated in this subsection, \$10,000  
5 35 shall be used to provide additional funding for Iowa's  
6 1 information and referral database for health and human  
6 2 services 211 system.

6 3 d. Of the funds appropriated in this subsection, \$150,000  
6 4 shall be used for management of the antiviral stockpile.

6 5 e. Of the funds appropriated in this subsection, \$100,000  
6 6 shall be used for an increase in sexual violence prevention  
6 7 programming through a statewide organization representing  
6 8 programs serving victims of sexual violence through the  
6 9 department's sexual violence prevention program. In addition,  
6 10 \$162,522 and any other amount remaining in the hospital trust  
6 11 fund created in section 249I.4, Code 2005, on July 1, 2007,  
6 12 are appropriated to the department of public health to be used  
6 13 for the purposes of this paragraph "e". The amounts provided  
6 14 pursuant to this paragraph "e" shall not be used to supplant  
6 15 funding administered for other sexual violence prevention or  
6 16 victims assistance programs.

6 17 9. RESOURCE MANAGEMENT

6 18 For establishing and sustaining the overall ability of the  
6 19 department to deliver services to the public and for not more  
6 20 than the following full-time equivalent positions:

6 21 ..... \$ 1,195,557

6 22 ..... FTEs 5.00

6 23 Of the funds appropriated in this subsection, \$150,150  
6 24 shall be used for administration of tobacco-related programs.

6 25 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION. In lieu  
6 26 of the appropriation made in section 135.150, subsection 1,  
6 27 there is appropriated from funds available in the gambling  
6 28 treatment fund created in section 135.150 to the department of  
6 29 public health for the fiscal year beginning July 1, 2007, and  
6 30 ending June 30, 2008, the following amount, or so much thereof  
6 31 as is necessary, to be used for the purposes designated:

6 32 1. ADDICTIVE DISORDERS

6 33 To be utilized for the benefit of persons with addictions:

6 34 ..... \$ 1,690,000

6 35 It is the intent of the general assembly that from the  
7 1 moneys appropriated in this subsection, persons with a dual  
7 2 diagnosis of substance abuse and gambling addictions shall be

7 3 given priority in treatment services.

7 4 2. GAMBLING TREATMENT PROGRAM

7 5 The amount remaining in the gambling treatment fund after  
7 6 the appropriation made in subsection 1 is appropriated to the  
7 7 department to be used for funding of administrative costs and  
7 8 to provide programs which may include but are not limited to  
7 9 outpatient and follow-up treatment for persons affected by  
7 10 problem gambling, rehabilitation and residential treatment  
7 11 programs, information and referral services, education and  
7 12 preventive services, and financial management services. Of  
7 13 the amount appropriated in this subsection, up to \$100,000 may  
7 14 be used for the licensing of gambling treatment programs as  
7 15 provided in section 135.150.

7 16 DEPARTMENT OF VETERANS AFFAIRS

7 17 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is  
7 18 appropriated from the general fund of the state to the  
7 19 department of veterans affairs for the fiscal year beginning  
7 20 July 1, 2007, and ending June 30, 2008, the following amounts,  
7 21 or so much thereof as is necessary, to be used for the  
7 22 purposes designated:

7 23 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

7 24 For salaries, support, maintenance, and miscellaneous  
7 25 purposes, including the war orphans educational assistance  
7 26 fund established pursuant to section 35.8 and for not more  
7 27 than the following full-time equivalent positions:

7 28 ..... \$ 863,457  
7 29 ..... FTEs 12.00

7 30 Of the amount appropriated in this subsection, \$50,000 is  
7 31 allocated for implementation of the veterans counseling  
7 32 program established pursuant to section 35.12, if enacted by  
7 33 2007 Iowa Acts, House File 817.

7 34 2. IOWA VETERANS HOME

7 35 For salaries, support, maintenance, and miscellaneous  
8 1 purposes and for not more than the following full-time  
8 2 equivalent positions:

8 3 ..... \$ 15,030,248  
8 4 ..... FTEs 909.33

8 5 3. VETERANS TRUST FUND

8 6 To be credited to the veterans trust fund created in  
8 7 section 35A.13:

8 8 ..... \$ 1,500,000

8 9 Of the amount appropriated in this subsection, \$150,000 is  
8 10 transferred and appropriated to the department of cultural  
8 11 affairs to be used to establish a conservation lab facility in  
8 12 the state archives to preserve the civil war muster rolls,  
8 13 including two full-time equivalent positions in addition to  
8 14 any other positions authorized for the department.

8 15 4. COUNTY GRANT PROGRAM FOR VETERANS

8 16 For providing matching grants to counties to provide  
8 17 improved services to veterans:

8 18 ..... \$ 750,000

8 19 The department shall establish or continue a grant  
8 20 application process and shall require each county applying for  
8 21 a grant to submit a plan for utilizing the grant to improve  
8 22 services for veterans. The maximum matching grant to be  
8 23 awarded to a county shall be \$10,000 and the amount awarded  
8 24 shall be matched on a dollar-for-dollar basis by the county.  
8 25 Each county receiving a grant shall submit a report to the  
8 26 department identifying the impact of the grant on increasing  
8 27 services to veterans as specified by the department. The  
8 28 department shall submit a report to the general assembly by  
8 29 October 1, 2008, concerning the impact of the grant program on  
8 30 services to veterans.

8 31 5. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED  
8 32 VETERANS

8 33 For educational assistance pursuant to section 35.9:

8 34 ..... \$ 27,000

8 35 Sec. 5. VETERANS TRUST FUND. Notwithstanding section  
9 1 35A.13, there is appropriated from the veterans trust fund  
9 2 established in section 35A.13 to the department of veterans  
9 3 affairs for the fiscal year beginning July 1, 2007, and ending  
9 4 June 30, 2008, the following amount, or so much thereof as is  
9 5 necessary, for the purpose designated:

9 6 1. VIETNAM CONFLICT VETERANS BONUS FUND

9 7 To be credited to the Vietnam Conflict veterans bonus fund  
9 8 created in section 35A.8, if enacted:

9 9 ..... \$ 500,000

9 10 The amount credited to the Vietnam Conflict veterans bonus  
9 11 fund pursuant to this subsection is appropriated to the  
9 12 department to be used for the purposes of pay compensation in  
9 13 accordance with section 35A.8, subsection 5, if enacted by

9 14 2007 Iowa Acts, Senate File 453 or House File 425.  
 9 15 2. HOME OWNERSHIP ASSISTANCE PROGRAM  
 9 16 For transfer to the Iowa finance authority to be used for  
 9 17 continuation of the home ownership assistance program for  
 9 18 persons who are or were eligible members of the armed forces  
 9 19 of the United States, implemented pursuant to 2005 Iowa Acts,  
 9 20 chapter 161, section 1, subsection 5, and amended by 2005 Iowa  
 9 21 Acts, chapter 115, section 37, as amended by 2006 Iowa Acts,  
 9 22 chapter 1167, section 4:  
 9 23 ..... \$ 2,000,000  
 9 24 Of the funds appropriated in this subsection, the Iowa  
 9 25 finance authority may retain not more than \$20,000 for  
 9 26 administrative purposes.  
 9 27 HUMAN SERVICES  
 9 28 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
 9 29 GRANT. There is appropriated from the fund created in section  
 9 30 8.41 to the department of human services for the fiscal year  
 9 31 beginning July 1, 2007, and ending June 30, 2008, from moneys  
 9 32 received under the federal temporary assistance for needy  
 9 33 families (TANF) block grant pursuant to the federal Personal  
 9 34 Responsibility and Work Opportunity Reconciliation Act of  
 9 35 1996, Pub. L. No. 104-193, and successor legislation, which  
 10 1 are federally appropriated for the federal fiscal years  
 10 2 beginning October 1, 2006, and ending September 30, 2007, and  
 10 3 beginning October 1, 2007, and ending September 30, 2008, the  
 10 4 following amounts, or so much thereof as is necessary, to be  
 10 5 used for the purposes designated:  
 10 6 1. To be credited to the family investment program account  
 10 7 and used for assistance under the family investment program  
 10 8 under chapter 239B:  
 10 9 ..... \$ 34,890,944  
 10 10 2. To be credited to the family investment program account  
 10 11 and used for the job opportunities and basic skills (JOBS)  
 10 12 program, and implementing family investment agreements, in  
 10 13 accordance with chapter 239B:  
 10 14 ..... \$ 14,993,040  
 10 15 Notwithstanding section 8.33, not more than 5 percent of  
 10 16 the moneys appropriated in this subsection that are allocated  
 10 17 by the department for contracted services other than family  
 10 18 development and self-sufficiency grant program services under  
 10 19 this subsection, that remain unencumbered or unobligated at  
 10 20 the close of the fiscal year shall not revert but shall remain  
 10 21 available for expenditure for the purposes designated until  
 10 22 the close of the succeeding fiscal year. However, unless such  
 10 23 moneys are encumbered or obligated on or before September 30,  
 10 24 2008, the moneys shall revert.  
 10 25 3. To be used for the family development and  
 10 26 self-sufficiency grant program as provided under section  
 10 27 217.12 and this division of this Act:  
 10 28 ..... \$ 2,998,675  
 10 29 4. For field operations:  
 10 30 ..... \$ 17,707,495  
 10 31 5. For general administration:  
 10 32 ..... \$ 3,744,000  
 10 33 6. For local administrative costs:  
 10 34 ..... \$ 2,189,830  
 10 35 7. For state child care assistance:  
 11 1 ..... \$ 18,986,177  
 11 2 a. Of the funds appropriated in this subsection, \$200,000  
 11 3 shall be used for provision of educational opportunities to  
 11 4 registered child care home providers in order to improve  
 11 5 services and programs offered by this category of providers  
 11 6 and to increase the number of providers. The department may  
 11 7 contract with institutions of higher education or child care  
 11 8 resource and referral centers to provide the educational  
 11 9 opportunities. Allowable administrative costs under the  
 11 10 contracts shall not exceed 5 percent. The application for a  
 11 11 grant shall not exceed two pages in length.  
 11 12 b. The funds appropriated in this subsection shall be  
 11 13 transferred to the child care and development block grant  
 11 14 appropriation.  
 11 15 8. For mental health and developmental disabilities  
 11 16 community services:  
 11 17 ..... \$ 4,894,052  
 11 18 9. For child and family services:  
 11 19 ..... \$ 32,084,430  
 11 20 10. For child abuse prevention grants:  
 11 21 ..... \$ 250,000  
 11 22 11. For pregnancy prevention grants on the condition that  
 11 23 family planning services are funded:  
 11 24 ..... \$ 1,930,067

11 25 Pregnancy prevention grants shall be awarded to programs in  
11 26 existence on or before July 1, 2007, if the programs are  
11 27 comprehensive in scope and have demonstrated positive  
11 28 outcomes. Grants shall be awarded to pregnancy prevention  
11 29 programs which are developed after July 1, 2007, if the  
11 30 programs are comprehensive in scope and are based on existing  
11 31 models that have demonstrated positive outcomes. Grants shall  
11 32 comply with the requirements provided in 1997 Iowa Acts,  
11 33 chapter 208, section 14, subsections 1 and 2, including the  
11 34 requirement that grant programs must emphasize sexual  
11 35 abstinence. Priority in the awarding of grants shall be given  
12 1 to programs that serve areas of the state which demonstrate  
12 2 the highest percentage of unplanned pregnancies of females of  
12 3 childbearing age within the geographic area to be served by  
12 4 the grant.

12 5 12. For technology needs and other resources necessary to  
12 6 meet federal welfare reform reporting, tracking, and case  
12 7 management requirements:

12 8 ..... \$ 1,037,186

12 9 13. For the healthy opportunities for parents to  
12 10 experience success (HOPES) program administered by the  
12 11 department of public health to target child abuse prevention:

12 12 ..... \$ 200,000

12 13 14. To be credited to the state child care assistance  
12 14 appropriation made in this section to be used for funding of  
12 15 community-based early childhood programs targeted to children  
12 16 from birth through five years of age, developed by community  
12 17 empowerment areas as provided in section 28.9:

12 18 ..... \$ 7,350,000

12 19 The department shall transfer TANF block grant funding  
12 20 appropriated and allocated in this subsection to the child  
12 21 care and development block grant appropriation in accordance  
12 22 with federal law as necessary to comply with the provisions of  
12 23 this subsection.

12 24 15. For a pilot program to be established in one or more  
12 25 judicial districts, selected by the department and the  
12 26 judicial council, to provide employment and support services  
12 27 to delinquent child support obligors as an alternative to  
12 28 commitment to jail as punishment for contempt of court:

12 29 ..... \$ 200,000

12 30 Of the amounts appropriated in this section, \$12,962,008  
12 31 for the fiscal year beginning July 1, 2007, shall be  
12 32 transferred to the appropriation of the federal social  
12 33 services block grant for that fiscal year. If the federal  
12 34 government revises requirements to reduce the amount that may  
12 35 be transferred to the federal social services block grant, it  
13 1 is the intent of the general assembly to act expeditiously  
13 2 during the 2008 legislative session to adjust appropriations  
13 3 or the transferred amount or take other actions to address the  
13 4 reduced amount.

13 5 The department may transfer funds allocated in this section  
13 6 to the appropriations in this Act for general administration  
13 7 and field operations for resources necessary to implement and  
13 8 operate the services referred to in this section and those  
13 9 funded in the appropriation made in this division of this Act  
13 10 for the family investment program from the general fund.

13 11 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 12 1. Moneys credited to the family investment program (FIP)  
13 13 account for the fiscal year beginning July 1, 2007, and ending  
13 14 June 30, 2008, shall be used to provide assistance in  
13 15 accordance with chapter 239B.

13 16 2. The department may use a portion of the moneys credited  
13 17 to the FIP account under this section as necessary for  
13 18 salaries, support, maintenance, and miscellaneous purposes.

13 19 3. The department may transfer funds allocated in this  
13 20 section to the appropriations in this Act for general  
13 21 administration and field operations for resources necessary to  
13 22 implement and operate the services referred to in this section  
13 23 and those funded in the appropriation made in this division of  
13 24 this Act for the family investment program from the general  
13 25 fund of the state.

13 26 4. Moneys appropriated in this division of this Act and  
13 27 credited to the FIP account for the fiscal year beginning July  
13 28 1, 2007, and ending June 30, 2008, are allocated as follows:

13 29 a. To the department of human rights for staffing,  
13 30 administration, and implementation of the family development  
13 31 and self-sufficiency grant program as provided under section  
13 32 217.12:

13 33 ..... \$ 5,583,042

13 34 (1) Of the funds allocated for the family development and  
13 35 self-sufficiency grant program in this lettered paragraph, not

14 1 more than 5 percent of the funds shall be used for the  
14 2 administration of the grant program.

14 3 (2) The department may continue to implement the family  
14 4 development and self-sufficiency grant program statewide  
14 5 during FY 2007=2008.

14 6 (3) The department of human rights shall adopt appropriate  
14 7 performance measures for the program and provide the  
14 8 department of human services with information necessary for  
14 9 compliance with federal temporary assistance for needy  
14 10 families block grant requirements.

14 11 b. For the diversion subaccount of the FIP account:

14 12 ..... \$ 2,814,000

14 13 (1) A portion of the moneys allocated for the subaccount  
14 14 may be used for field operations salaries, data management  
14 15 system development, and implementation costs and support  
14 16 deemed necessary by the director of human services in order to  
14 17 administer the FIP diversion program.

14 18 (2) Of the funds allocated in this lettered paragraph, not  
14 19 more than \$250,000 shall be used to develop or continue  
14 20 community-level parental obligation pilot projects. The  
14 21 requirements established under 2001 Iowa Acts, chapter 191,  
14 22 section 3, subsection 5, paragraph "c", subparagraph (3),  
14 23 shall remain applicable to the parental obligation pilot  
14 24 projects for fiscal year 2007=2008. Notwithstanding 441 IAC  
14 25 100.8, providing for termination of rules relating to the  
14 26 pilot projects the earlier of October 1, 2006, or when  
14 27 legislative authority is discontinued, the rules relating to  
14 28 the pilot projects shall remain in effect until June 30, 2008.

14 29 c. For the food stamp employment and training program:

14 30 ..... \$ 68,059

14 31 d. For the JOBS program:

14 32 ..... \$ 23,968,628

14 33 5. Of the child support collections assigned under FIP, an  
14 34 amount equal to the federal share of support collections shall  
14 35 be credited to the child support recovery appropriation. Of  
15 1 the remainder of the assigned child support collections  
15 2 received by the child support recovery unit, a portion shall  
15 3 be credited to the FIP account and a portion may be used to  
15 4 increase recoveries. If child support collections assigned  
15 5 under FIP are greater than estimated, the state share of that  
15 6 greater portion may be transferred to the child support  
15 7 payments account.

15 8 6. The department may adopt emergency rules for the family  
15 9 investment, JOBS, family development and self-sufficiency  
15 10 grant, food stamp, and medical assistance programs if  
15 11 necessary to comply with federal requirements.

15 12 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
15 13 appropriated from the general fund of the state to the  
15 14 department of human services for the fiscal year beginning  
15 15 July 1, 2007, and ending June 30, 2008, the following amount,  
15 16 or so much thereof as is necessary, to be used for the purpose  
15 17 designated:

15 18 To be credited to the family investment program (FIP)  
15 19 account and used for family investment program assistance  
15 20 under chapter 239B:

15 21 ..... \$ 42,608,263

15 22 1. Of the funds appropriated in this section, \$8,975,588  
15 23 is allocated for the JOBS program.

15 24 2. Of the funds appropriated in this section, \$2,584,367  
15 25 is allocated for the family development and self-sufficiency  
15 26 grant program as provided under section 217.12 and this  
15 27 division of this Act.

15 28 3. Of the funds appropriated in this section, \$200,000  
15 29 shall be used to continue a grant to an Iowa-based nonprofit  
15 30 organization with a history of providing tax preparation  
15 31 assistance to low-income Iowans in order to expand the usage  
15 32 of the earned income tax credit. The purpose of the grant is  
15 33 to supply this assistance to underserved areas of the state.  
15 34 The grant shall be provided to an organization that has  
15 35 existing national foundation support for supplying such  
16 1 assistance that can also secure local charitable match  
16 2 funding.

16 3 4. Notwithstanding section 8.39, for the fiscal year  
16 4 beginning July 1, 2007, if necessary to meet federal  
16 5 maintenance of effort requirements or to transfer federal  
16 6 temporary assistance for needy families block grant funding to  
16 7 be used for purposes of the federal social services block  
16 8 grant or to meet cash flow needs resulting from delays in  
16 9 receiving federal funding or to implement, in accordance with  
16 10 this division of this Act, activities currently funded with  
16 11 juvenile court services, county, or community moneys and state

16 12 moneys used in combination with such moneys, the department of  
16 13 human services may transfer funds within or between any of the  
16 14 appropriations made in this division of this Act and  
16 15 appropriations in law for the federal social services block  
16 16 grant to the department for the following purposes, provided  
16 17 that the combined amount of state and federal temporary  
16 18 assistance for needy families block grant funding for each  
16 19 appropriation remains the same before and after the transfer:

- 16 20 a. For the family investment program.
- 16 21 b. For child care assistance.
- 16 22 c. For child and family services.
- 16 23 d. For field operations.
- 16 24 e. For general administration.
- 16 25 f. MH/MR/DD/BI community services (local purchase).

16 26 This subsection shall not be construed to prohibit existing  
16 27 state transfer authority for other purposes. The department  
16 28 shall report any transfers made pursuant to this subsection to  
16 29 the legislative services agency.

16 30 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated  
16 31 from the general fund of the state to the department of human  
16 32 services for the fiscal year beginning July 1, 2007, and  
16 33 ending June 30, 2008, the following amount, or so much thereof  
16 34 as is necessary, to be used for the purposes designated:

16 35 For child support recovery, including salaries, support,  
17 1 maintenance, and miscellaneous purposes and for not more than  
17 2 the following full-time equivalent positions:

17 3 ..... \$ 9,760,098  
17 4 ..... FTEs 508.00

17 5 1. The department shall expend up to \$31,000, including  
17 6 federal financial participation, for the fiscal year beginning  
17 7 July 1, 2007, for a child support public awareness campaign.  
17 8 The department and the office of the attorney general shall  
17 9 cooperate in continuation of the campaign. The public  
17 10 awareness campaign shall emphasize, through a variety of media  
17 11 activities, the importance of maximum involvement of both  
17 12 parents in the lives of their children as well as the  
17 13 importance of payment of child support obligations.

17 14 2. Federal access and visitation grant moneys shall be  
17 15 issued directly to private not-for-profit agencies that  
17 16 provide services designed to increase compliance with the  
17 17 child access provisions of court orders, including but not  
17 18 limited to neutral visitation sites and mediation services.

17 19 3. Beginning October 1, 2007, and notwithstanding chapter  
17 20 252C, 252F, or 252H, or any other applicable chapter, either  
17 21 parent may be ordered to provide medical support in accordance  
17 22 with the federal Deficit Reduction Act of 2005, Pub. L. No.  
17 23 109-171.

17 24 4. The appropriation made to the department for child  
17 25 support recovery may be used throughout the fiscal year in the  
17 26 manner necessary for purposes of cash flow management, and for  
17 27 cash flow management, the department may temporarily draw more  
17 28 than the amount appropriated, provided the amount appropriated  
17 29 is not exceeded at the close of the fiscal year.

17 30 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from  
17 31 the general fund of the state to the department of human  
17 32 services for the fiscal year beginning July 1, 2007, and  
17 33 ending June 30, 2008, the following amount, or so much thereof  
17 34 as is necessary, to be used for the purpose designated:

17 35 For medical assistance reimbursement and associated costs  
18 1 as specifically provided in the reimbursement methodologies in  
18 2 effect on June 30, 2007, except as otherwise expressly  
18 3 authorized by law, including reimbursement for abortion  
18 4 services, which shall be available under the medical  
18 5 assistance program only for those abortions which are  
18 6 medically necessary:  
18 7 ..... \$618,796,202

18 8 1. Medically necessary abortions are those performed under  
18 9 any of the following conditions:

- 18 10 a. The attending physician certifies that continuing the  
18 11 pregnancy would endanger the life of the pregnant woman.
- 18 12 b. The attending physician certifies that the fetus is  
18 13 physically deformed, mentally deficient, or afflicted with a  
18 14 congenital illness.
- 18 15 c. The pregnancy is the result of a rape which is reported  
18 16 within 45 days of the incident to a law enforcement agency or  
18 17 public or private health agency which may include a family  
18 18 physician.
- 18 19 d. The pregnancy is the result of incest which is reported  
18 20 within 150 days of the incident to a law enforcement agency or  
18 21 public or private health agency which may include a family  
18 22 physician.

18 23 e. Any spontaneous abortion, commonly known as a  
18 24 miscarriage, if not all of the products of conception are  
18 25 expelled.

18 26 2. The department shall utilize not more than \$60,000 of  
18 27 the funds appropriated in this section to continue the  
18 28 AIDS/HIV health insurance premium payment program as  
18 29 established in 1992 Iowa Acts, Second Extraordinary Session,  
18 30 chapter 1001, section 409, subsection 6. Of the funds  
18 31 allocated in this subsection, not more than \$5,000 may be  
18 32 expended for administrative purposes.

18 33 3. Of the funds appropriated in this Act to the department  
18 34 of public health for addictive disorders, \$950,000 for the  
18 35 fiscal year beginning July 1, 2007, shall be transferred to  
19 1 the department of human services for an integrated substance  
19 2 abuse managed care system.

19 3 4. a. The department shall aggressively pursue options  
19 4 for providing medical assistance or other assistance to  
19 5 individuals with special needs who become ineligible to  
19 6 continue receiving services under the early and periodic  
19 7 screening, diagnosis, and treatment program under the medical  
19 8 assistance program due to becoming 21 years of age, who have  
19 9 been approved for additional assistance through the  
19 10 department's exception to policy provisions, but who have  
19 11 health care needs in excess of the funding available through  
19 12 the exception to policy provisions.

19 13 b. Of the funds appropriated in this section, \$100,000  
19 14 shall be used for participation in one or more pilot projects  
19 15 operated by a private provider to allow the individual or  
19 16 individuals to receive service in the community in accordance  
19 17 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
19 18 (1999), for the purpose of providing medical assistance or  
19 19 other assistance to individuals with special needs who become  
19 20 ineligible to continue receiving services under the early and  
19 21 periodic screening, diagnosis, and treatment program under the  
19 22 medical assistance program due to becoming 21 years of age,  
19 23 who have been approved for additional assistance through the  
19 24 department's exception to policy provisions, but who have  
19 25 health care needs in excess of the funding available through  
19 26 the exception to the policy provisions.

19 27 5. Of the funds appropriated in this section, up to  
19 28 \$3,050,082 may be transferred to the field operations or  
19 29 general administration appropriations in this Act for  
19 30 operational costs associated with Part D of the federal  
19 31 Medicare Prescription Drug, Improvement, and Modernization Act  
19 32 of 2003, Pub. L. No. 108-173.

19 33 6. In addition to any other funds appropriated in this  
19 34 Act, of the funds appropriated in this section, \$250,000 shall  
19 35 be used for continuation of the grant to the Iowa healthcare  
20 1 collaborative as defined in section 135.40.

20 2 7. The department may amend the Medicaid state plan to  
20 3 provide medical assistance reciprocity for children who  
20 4 receive an adoption subsidy who are not eligible for funding  
20 5 under Title IV-E of the federal Social Security Act.

20 6 8. Of the funds appropriated in this section, up to  
20 7 \$500,000 shall be used to enhance outreach efforts. The  
20 8 department may transfer funds allocated in this subsection to  
20 9 the appropriations in this division for general administration  
20 10 or medical contracts, as necessary, to implement the outreach  
20 11 efforts.

20 12 9. Of the funds appropriated in this section, up to  
20 13 \$442,100 may be transferred to the appropriation in this Act  
20 14 for medical contracts to be used for clinical assessment  
20 15 services related to remedial services in accordance with  
20 16 federal law.

20 17 10. Of the funds appropriated in this section, \$1,100,000  
20 18 may be used for the demonstration to maintain independence and  
20 19 employment (DMIE) if the waiver for DMIE is approved by the  
20 20 centers for Medicare and Medicaid services of the United  
20 21 States department of health and human services. Additionally,  
20 22 if the waiver is approved, \$440,000 of the funds shall be  
20 23 transferred to the department of corrections for the DMIE  
20 24 activities.

20 25 11. The department shall provide coverage under the  
20 26 medical assistance program for prescription and  
20 27 nonprescription smoking cessation aids including but not  
20 28 limited to prescription drugs, nicotine patches and gum,  
20 29 lozenges, inhalers, nasal sprays, and any other aids  
20 30 available, without limitation by departmental rule.

20 31 12. The department shall review the maximum payment allowed  
20 32 under each home and community-based services waiver and shall  
20 33 report by December 15, 2007, to the persons designated in this

20 34 Act to receive reports, recommendations to adjust the maximum  
20 35 payment levels to provide equity among the populations served.  
21 1 13. The department shall adopt rules pursuant to chapter  
21 2 17A to provide reimbursement under the medical assistance  
21 3 program for HIV-related testing required for pregnant women,  
21 4 pursuant to section 141A.4, as amended by 2007 Iowa Acts,  
21 5 House File 610, if enacted, who are recipients of medical  
21 6 assistance.

21 7 Sec. 11. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
21 8 is appropriated from the general fund of the state to the  
21 9 department of human services for the fiscal year beginning  
21 10 July 1, 2007, and ending June 30, 2008, the following amount,  
21 11 or so much thereof as is necessary, to be used for the purpose  
21 12 designated:

21 13 For administration of the health insurance premium payment  
21 14 program, including salaries, support, maintenance, and  
21 15 miscellaneous purposes:

21 16 ..... \$ 654,568

21 17 Sec. 12. MEDICAL CONTRACTS. There is appropriated from  
21 18 the general fund of the state to the department of human  
21 19 services for the fiscal year beginning July 1, 2007, and  
21 20 ending June 30, 2008, the following amount, or so much thereof  
21 21 as is necessary, to be used for the purpose designated:

21 22 For medical contracts, including salaries, support,  
21 23 maintenance, and miscellaneous purposes:

21 24 ..... \$ 13,773,152

21 25 1. Of the funds appropriated in this section, \$50,000  
21 26 shall be used for electronic cross-matching with state vital  
21 27 records databases through the department of public health.

21 28 2. Of the funds appropriated in this section, \$250,000  
21 29 shall be used for increased monitoring of home and  
21 30 community-based services waivers.

21 31 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

21 32 1. There is appropriated from the general fund of the  
21 33 state to the department of human services for the fiscal year  
21 34 beginning July 1, 2007, and ending June 30, 2008, the  
21 35 following amount, or so much thereof as is necessary, to be  
22 1 used for the purpose designated:

22 2 For the state supplementary assistance program:

22 3 ..... \$ 17,210,335

22 4 2. The department shall increase the personal needs  
22 5 allowance for residents of residential care facilities by the  
22 6 same percentage and at the same time as federal supplemental  
22 7 security income and federal social security benefits are  
22 8 increased due to a recognized increase in the cost of living.  
22 9 The department may adopt emergency rules to implement this  
22 10 subsection.

22 11 3. If during the fiscal year beginning July 1, 2007, the  
22 12 department projects that state supplementary assistance  
22 13 expenditures for a calendar year will not meet the federal  
22 14 pass-along requirement specified in Title XVI of the federal  
22 15 Social Security Act, section 1618, as codified in 42 U.S.C. }  
22 16 1382g, the department may take actions including but not  
22 17 limited to increasing the personal needs allowance for  
22 18 residential care facility residents and making programmatic  
22 19 adjustments or upward adjustments of the residential care  
22 20 facility or in-home health-related care reimbursement rates  
22 21 prescribed in this division of this Act to ensure that federal  
22 22 requirements are met. In addition, the department may make  
22 23 other programmatic and rate adjustments necessary to remain  
22 24 within the amount appropriated in this section while ensuring  
22 25 compliance with federal requirements. The department may  
22 26 adopt emergency rules to implement the provisions of this  
22 27 subsection.

22 28 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
22 29 appropriated from the general fund of the state to the  
22 30 department of human services for the fiscal year beginning  
22 31 July 1, 2007, and ending June 30, 2008, the following amount,  
22 32 or so much thereof as is necessary, to be used for the purpose  
22 33 designated:

22 34 For maintenance of the healthy and well kids in Iowa (hawk=  
22 35 i) program pursuant to chapter 514I for receipt of federal  
23 1 financial participation under Title XXI of the federal Social  
23 2 Security Act, which creates the state children's health  
23 3 insurance program:

23 4 ..... \$ 14,871,052

23 5 Sec. 15. CHILD CARE ASSISTANCE. There is appropriated  
23 6 from the general fund of the state to the department of human  
23 7 services for the fiscal year beginning July 1, 2007, and  
23 8 ending June 30, 2008, the following amount, or so much thereof  
23 9 as is necessary, to be used for the purpose designated:

23 10 For child care programs:

23 11 ..... \$ 38,225,701

23 12 1. Of the funds appropriated in this section, \$34,969,889

23 13 shall be used for state child care assistance in accordance

23 14 with section 237A.13.

23 15 2. Nothing in this section shall be construed or is

23 16 intended as, or shall imply, a grant of entitlement for

23 17 services to persons who are eligible for assistance due to an

23 18 income level consistent with the waiting list requirements of

23 19 section 237A.13. Any state obligation to provide services

23 20 pursuant to this section is limited to the extent of the funds

23 21 appropriated in this section.

23 22 3. Of the funds appropriated in this section, \$525,524 is

23 23 allocated for the statewide program for child care resource

23 24 and referral services under section 237A.26. A list of the

23 25 registered and licensed child care facilities operating in the

23 26 area served by a child care resource and referral service

23 27 shall be made available to the families receiving state child

23 28 care assistance in that area.

23 29 4. Of the funds appropriated in this section, \$1,530,288

23 30 is allocated for child care quality improvement initiatives

23 31 including but not limited to development and continuation of a

23 32 quality rating system.

23 33 5. The department may use any of the funds appropriated in

23 34 this section as a match to obtain federal funds for use in

23 35 expanding child care assistance and related programs. For the

24 1 purpose of expenditures of state and federal child care

24 2 funding, funds shall be considered obligated at the time

24 3 expenditures are projected or are allocated to the

24 4 department's service areas. Projections shall be based on

24 5 current and projected caseload growth, current and projected

24 6 provider rates, staffing requirements for eligibility

24 7 determination and management of program requirements including

24 8 data systems management, staffing requirements for

24 9 administration of the program, contractual and grant

24 10 obligations and any transfers to other state agencies, and

24 11 obligations for decategorization or innovation projects.

24 12 6. A portion of the state match for the federal child care

24 13 and development block grant shall be provided as necessary to

24 14 meet federal matching funds requirements through the state

24 15 general fund appropriation for child development grants and

24 16 other programs for at-risk children in section 279.51.

24 17 7. Of the funds appropriated in this section, \$1,200,000

24 18 is transferred to the Iowa empowerment fund from which it is

24 19 appropriated to be used for professional development for the

24 20 system of early care, health, and education.

24 21 8. Notwithstanding section 8.33, moneys appropriated in

24 22 this section or received from the federal appropriations made

24 23 for the purposes of this section, that remain unencumbered or

24 24 unobligated at the close of the fiscal year shall not revert

24 25 to any fund but shall remain available for expenditure for the

24 26 purposes designated until the close of the succeeding fiscal

24 27 year.

24 28 Sec. 16. JUVENILE INSTITUTIONS. There is appropriated

24 29 from the general fund of the state to the department of human

24 30 services for the fiscal year beginning July 1, 2007, and

24 31 ending June 30, 2008, the following amounts, or so much

24 32 thereof as is necessary, to be used for the purposes

24 33 designated:

24 34 1. For operation of the Iowa juvenile home at Toledo and

24 35 for salaries, support, and maintenance and for not more than

25 1 the following full-time positions:

25 2 ..... \$ 7,170,289

25 3 ..... FTEs 128.00

25 4 Of the amount appropriated in this subsection, \$134,605 is

25 5 allocated to increase mental health and behavioral services

25 6 staffing.

25 7 2. For operation of the state training school at Eldora

25 8 and for salaries, support, and maintenance and for not more

25 9 than the following full-time positions:

25 10 ..... \$ 11,241,986

25 11 ..... FTEs 204.88

25 12 Of the amount appropriated in this subsection, \$184,988 is

25 13 allocated to increase mental health and behavioral services

25 14 staffing.

25 15 3. A portion of the moneys appropriated in this section

25 16 shall be used by the state training school and by the Iowa

25 17 juvenile home for grants for adolescent pregnancy prevention

25 18 activities at the institutions in the fiscal year beginning

25 19 July 1, 2007.

25 20 Sec. 17. CHILD AND FAMILY SERVICES.

25 21 1. There is appropriated from the general fund of the  
25 22 state to the department of human services for the fiscal year  
25 23 beginning July 1, 2007, and ending June 30, 2008, the  
25 24 following amount, or so much thereof as is necessary, to be  
25 25 used for the purpose designated:  
25 26 For child and family services:  
25 27 .....

25 27 ..... \$ 88,720,320

25 28 2. In order to address a reduction of \$5,200,000 from the  
25 29 amount allocated under the appropriation made for the purposes  
25 30 of this section in prior years for purposes of juvenile  
25 31 delinquent graduated sanction services, up to \$5,200,000 of  
25 32 the amount of federal temporary assistance for needy families  
25 33 block grant funding appropriated in this division of this Act  
25 34 for child and family services shall be made available for  
25 35 purposes of juvenile delinquent graduated sanction services.

26 1 3. The department may transfer funds appropriated in this  
26 2 section as necessary to pay the nonfederal costs of services  
26 3 reimbursed under the medical assistance program or the family  
26 4 investment program which are provided to children who would  
26 5 otherwise receive services paid under the appropriation in  
26 6 this section. The department may transfer funds appropriated  
26 7 in this section to the appropriations in this division of this  
26 8 Act for general administration and for field operations for  
26 9 resources necessary to implement and operate the services  
26 10 funded in this section.

26 11 4. a. Of the funds appropriated in this section, up to  
26 12 \$37,408,453 is allocated as the statewide expenditure target  
26 13 under section 232.143 for group foster care maintenance and  
26 14 services.

26 15 b. If at any time after September 30, 2007, annualization  
26 16 of a service area's current expenditures indicates a service  
26 17 area is at risk of exceeding its group foster care expenditure  
26 18 target under section 232.143 by more than 5 percent, the  
26 19 department and juvenile court services shall examine all group  
26 20 foster care placements in that service area in order to  
26 21 identify those which might be appropriate for termination. In  
26 22 addition, any aftercare services believed to be needed for the  
26 23 children whose placements may be terminated shall be  
26 24 identified. The department and juvenile court services shall  
26 25 initiate action to set dispositional review hearings for the  
26 26 placements identified. In such a dispositional review  
26 27 hearing, the juvenile court shall determine whether needed  
26 28 aftercare services are available and whether termination of  
26 29 the placement is in the best interest of the child and the  
26 30 community.

26 31 c. Of the funds allocated in this subsection, \$2,373,942  
26 32 is allocated as the state match funding for 50 highly  
26 33 structured juvenile program beds. If the number of beds  
26 34 provided for in this lettered paragraph is not utilized, the  
26 35 remaining funds allocated may be used for group foster care.

27 1 The department of human services, in consultation with the  
27 2 division of criminal and juvenile justice planning of the  
27 3 department of human rights, shall review the programming and  
27 4 effectiveness of the two existing highly structured juvenile  
27 5 programs. The review shall include consideration of the  
27 6 national research concerning juvenile "boot camp" programs,  
27 7 comparison of recidivism rates and foster care reentry rates  
27 8 for the highly structured programs with those of other group  
27 9 foster care programs. The review shall provide a  
27 10 recommendation as to whether or not funding should continue to  
27 11 be specifically designated for the highly structured programs.  
27 12 The department shall report on or before December 15, 2007,  
27 13 with findings and recommendations to the persons designated by  
27 14 this Act to receive reports.

27 15 5. In accordance with the provisions of section 232.188,  
27 16 the department shall continue the child welfare and juvenile  
27 17 justice funding initiative. Of the funds appropriated in this  
27 18 section, \$2,575,000 is allocated specifically for expenditure  
27 19 through the decategorization service funding pools and  
27 20 governance boards established pursuant to section 232.188. In  
27 21 addition, up to \$1,000,000 of the amount of federal temporary  
27 22 assistance for needy families block grant funding appropriated  
27 23 in this division of this Act for child and family services  
27 24 shall be made available for purposes of the decategorization  
27 25 initiative as provided in this subsection.

27 26 6. A portion of the funds appropriated in this section may  
27 27 be used for emergency family assistance to provide other  
27 28 resources required for a family participating in a family  
27 29 preservation or reunification project or successor project to  
27 30 stay together or to be reunified.

27 31 7. Notwithstanding section 234.35 or any other provision

27 32 of law to the contrary, for the fiscal year beginning July 1,  
27 33 2007, state funding for shelter care shall be limited to the  
27 34 amount necessary to fund 273 beds that are guaranteed and  
27 35 seven beds that are not guaranteed.

28 1 8. Federal funds received by the state during the fiscal  
28 2 year beginning July 1, 2007, as the result of the expenditure  
28 3 of state funds appropriated during a previous state fiscal  
28 4 year for a service or activity funded under this section, are  
28 5 appropriated to the department to be used as additional  
28 6 funding for services and purposes provided for under this  
28 7 section. Notwithstanding section 8.33, moneys received in  
28 8 accordance with this subsection that remain unencumbered or  
28 9 unobligated at the close of the fiscal year shall not revert  
28 10 to any fund but shall remain available for the purposes  
28 11 designated until the close of the succeeding fiscal year.

28 12 9. Of the funds appropriated in this section, \$3,696,285  
28 13 shall be used for protective child care assistance.

28 14 10. Of the funds appropriated in this section, up to  
28 15 \$3,092,928 is allocated for the payment of the expenses of  
28 16 court-ordered services provided to juveniles which are a  
28 17 charge upon the state pursuant to section 232.141, subsection

28 18 4. Of the amount allocated in this subsection, up to  
28 19 \$1,556,287 shall be made available to provide school-based  
28 20 supervision of children adjudicated under chapter 232, of  
28 21 which not more than \$15,000 may be used for the purpose of  
28 22 training. A portion of the cost of each school-based liaison  
28 23 officer shall be paid by the school district or other funding  
28 24 source as approved by the chief juvenile court officer.

28 25 a. Notwithstanding section 232.141 or any other provision  
28 26 of law to the contrary, the amount allocated in this  
28 27 subsection shall be distributed to the judicial districts as  
28 28 determined by the state court administrator. The state court  
28 29 administrator shall make the determination of the distribution  
28 30 amounts on or before June 15, 2007.

28 31 b. Notwithstanding chapter 232 or any other provision of  
28 32 law to the contrary, a district or juvenile court shall not  
28 33 order any service which is a charge upon the state pursuant to  
28 34 section 232.141 if there are insufficient court-ordered  
28 35 services funds available in the district court distribution  
29 1 amount to pay for the service. The chief juvenile court  
29 2 officer shall encourage use of the funds allocated in this  
29 3 subsection such that there are sufficient funds to pay for all  
29 4 court-related services during the entire year. The chief  
29 5 juvenile court officers shall attempt to anticipate potential  
29 6 surpluses and shortfalls in the distribution amounts and shall  
29 7 cooperatively request the state court administrator to  
29 8 transfer funds between the districts' distribution amounts as  
29 9 prudent.

29 10 c. Notwithstanding any provision of law to the contrary, a  
29 11 district or juvenile court shall not order a county to pay for  
29 12 any service provided to a juvenile pursuant to an order  
29 13 entered under chapter 232 which is a charge upon the state  
29 14 under section 232.141, subsection 4.

29 15 d. Of the funds allocated in this subsection, not more  
29 16 than \$100,000 may be used by the judicial branch for  
29 17 administration of the requirements under this subsection and  
29 18 for travel associated with court-ordered placements which are  
29 19 a charge upon the state pursuant to section 232.141,  
29 20 subsection 4.

29 21 11. Of the funds appropriated in this section, \$1,030,000  
29 22 shall be transferred to the department of public health to be  
29 23 used for the child protection center grant program in  
29 24 accordance with section 135.118.

29 25 12. Of the funds appropriated in this section, \$152,440  
29 26 shall be used for funding of one or more child welfare  
29 27 diversion and mediation pilot projects as provided in 2004  
29 28 Iowa Acts, chapter 1130, section 1.

29 29 13. If the department receives federal approval to  
29 30 implement a waiver under Title IV-E of the federal Social  
29 31 Security Act to enable providers to serve children who remain  
29 32 in the children's families and communities, for purposes of  
29 33 eligibility under the medical assistance program children who  
29 34 participate in the waiver shall be considered to be placed in  
29 35 foster care.

30 1 14. Of the funds appropriated in this section, \$3,083,752  
30 2 is allocated for the preparation for adult living program  
30 3 pursuant to section 234.46.

30 4 15. Of the funds appropriated in this section, \$51,500 is  
30 5 allocated for a grant to continue an existing program operated  
30 6 by a nonprofit organization providing family treatment and  
30 7 community education services in a nine-county area.

30 8 16. Of the funds appropriated in this section, \$1,030,000  
30 9 shall be used to continue juvenile drug courts. The amount  
30 10 allocated in this subsection shall be distributed as follows:  
30 11 a. To the judicial branch for salaries to assist with the  
30 12 operation of juvenile drug court programs operated in the  
30 13 following jurisdictions:  
30 14 (1) Marshall county:  
30 15 ..... \$ 61,800  
30 16 (2) Woodbury county:  
30 17 ..... \$ 123,862  
30 18 (3) Polk county:  
30 19 ..... \$ 193,057  
30 20 (4) For continuation of a program in the third judicial  
30 21 district:  
30 22 ..... \$ 66,950  
30 23 (5) For continuation of a program in the eighth judicial  
30 24 district:  
30 25 ..... \$ 66,950  
30 26 b. For court-ordered services to support substance abuse  
30 27 and related services provided to the juveniles participating  
30 28 in the juvenile drug court programs listed in paragraph "a"  
30 29 and the juveniles' families:  
30 30 ..... \$ 517,381

30 31 The state court administrator shall allocate the funding  
30 32 designated in this paragraph among the programs.  
30 33 17. Of the funds appropriated in this section, \$103,000 is  
30 34 allocated to continue the multidimensional treatment level  
30 35 foster care program established pursuant to 2006 Iowa Acts,  
31 1 chapter 1123.

31 2 18. Of the funds appropriated in this section, \$236,900  
31 3 shall be used for continuation of a grant to a nonprofit human  
31 4 services organization providing services to individuals and  
31 5 families in multiple locations in southwest Iowa and Nebraska  
31 6 for support of a project providing immediate, sensitive  
31 7 support and forensic interviews, medical exams, needs  
31 8 assessments and referrals for victims of child abuse and their  
31 9 nonoffending family members.

31 10 19. Of the funds appropriated in this section, \$120,000 is  
31 11 allocated for expansion of the elevate approach of providing a  
31 12 support network to children placed in foster care.

31 13 20. The department shall work with the division of  
31 14 criminal and juvenile justice planning of the department of  
31 15 human rights in analyzing the expenditures and services  
31 16 provided in the publicly funded child welfare and juvenile  
31 17 justice service systems during FY 2006=2007. The purpose of  
31 18 the analysis is to identify the expenditure and service  
31 19 categories that are adequate and inadequate, and determine  
31 20 whether there are geographic areas of the state that are  
31 21 underfunded or underserved. The analysis, along with findings  
31 22 and recommendations, shall be submitted on or before December  
31 23 15, 2007, to the persons designated by this Act to receive  
31 24 reports.

31 25 21. Of the funds appropriated in this section, \$300,000 is  
31 26 allocated for implementation of sibling visitation provisions  
31 27 for children subject to a court order for out-of-home  
31 28 placement in accordance with 2007 Iowa Acts, Senate File 480,  
31 29 if enacted.

31 30 22. Of the funds appropriated in this section, \$200,000 is  
31 31 allocated for expansion of the existing child abuse prevention  
31 32 contract for a new initiative to address child sexual abuse  
31 33 and \$250,000 is allocated as continued funding for child abuse  
31 34 prevention grants.

31 35 Sec. 18. ADOPTION SUBSIDY.  
32 1 1. There is appropriated from the general fund of the  
32 2 state to the department of human services for the fiscal year  
32 3 beginning July 1, 2007, and ending June 30, 2008, the  
32 4 following amount, or so much thereof as is necessary, to be  
32 5 used for the purpose designated:  
32 6 For adoption subsidy payments and services:  
32 7 ..... \$ 31,972,681

32 8 2. The department may transfer funds appropriated in this  
32 9 section to the appropriations in this Act for child and family  
32 10 services to be used for adoptive family recruitment and other  
32 11 services to achieve adoption.

32 12 3. Federal funds received by the state during the fiscal  
32 13 year beginning July 1, 2007, as the result of the expenditure  
32 14 of state funds during a previous state fiscal year for a  
32 15 service or activity funded under this section, are  
32 16 appropriated to the department to be used as additional  
32 17 funding for the services and activities funded under this  
32 18 section. Notwithstanding section 8.33, moneys received in

32 19 accordance with this subsection that remain unencumbered or  
32 20 unobligated at the close of the fiscal year shall not revert  
32 21 to any fund but shall remain available for expenditure for the  
32 22 purposes designated until the close of the succeeding fiscal  
32 23 year.

32 24 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited  
32 25 in the juvenile detention home fund created in section 232.142  
32 26 during the fiscal year beginning July 1, 2007, and ending June  
32 27 30, 2008, are appropriated to the department of human services  
32 28 for the fiscal year beginning July 1, 2007, and ending June  
32 29 30, 2008, for distribution as follows:

32 30 1. An amount equal to 10 percent of the costs of the  
32 31 establishment, improvement, operation, and maintenance of  
32 32 county or multicounty juvenile detention homes in the fiscal  
32 33 year beginning July 1, 2006. Moneys appropriated for  
32 34 distribution in accordance with this subsection shall be  
32 35 allocated among eligible detention homes, prorated on the  
33 1 basis of an eligible detention home's proportion of the costs  
33 2 of all eligible detention homes in the fiscal year beginning  
33 3 July 1, 2006. Notwithstanding section 232.142, subsection 3,  
33 4 the financial aid payable by the state under that provision  
33 5 for the fiscal year beginning July 1, 2007, shall be limited  
33 6 to the amount appropriated for the purposes of this  
33 7 subsection.

33 8 2. For renewal of a grant to a county with a population  
33 9 between 189,000 and 196,000 in the latest preceding certified  
33 10 federal census for implementation of the county's runaway  
33 11 treatment plan under section 232.195:

33 12 ..... \$ 80,000

33 13 3. For continuation and expansion of the community  
33 14 partnership for child protection sites:

33 15 ..... \$ 318,000

33 16 4. For continuation of the department's minority youth and  
33 17 family projects under the redesign of the child welfare  
33 18 system:

33 19 ..... \$ 375,000

33 20 5. For funding of the state match for the federal  
33 21 substance abuse and mental health services administration  
33 22 (SAMHSA) system of care grant:

33 23 ..... \$ 400,000

33 24 6. For transfer to the appropriation made in this Act for  
33 25 child and family services to continue funding for children in  
33 26 group foster care:

33 27 ..... \$ 1,224,000

33 28 7. For training of nonlicensed relatives caring for  
33 29 children in the child welfare system:

33 30 ..... \$ 276,000

33 31 8. The remainder for additional allocations to county or  
33 32 multicounty juvenile detention homes, in accordance with the  
33 33 distribution requirements of subsection 1.

33 34 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.

33 35 1. There is appropriated from the general fund of the  
34 1 state to the department of human services for the fiscal year  
34 2 beginning July 1, 2007, and ending June 30, 2008, the  
34 3 following amount, or so much thereof as is necessary, to be  
34 4 used for the purpose designated:

34 5 For the family support subsidy program:

34 6 ..... \$ 1,936,434

34 7 2. The department shall use at least \$333,212 of the  
34 8 moneys appropriated in this section for the family support  
34 9 center component of the comprehensive family support program  
34 10 under section 225C.47. Not more than \$20,000 of the amount  
34 11 allocated in this subsection shall be used for administrative  
34 12 costs.

34 13 Sec. 21. CONNER DECREE. There is appropriated from the  
34 14 general fund of the state to the department of human services  
34 15 for the fiscal year beginning July 1, 2007, and ending June  
34 16 30, 2008, the following amount, or so much thereof as is  
34 17 necessary, to be used for the purpose designated:

34 18 For building community capacity through the coordination  
34 19 and provision of training opportunities in accordance with the  
34 20 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
34 21 Iowa, July 14, 1994):

34 22 ..... \$ 42,623

34 23 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated  
34 24 from the general fund of the state to the department of human  
34 25 services for the fiscal year beginning July 1, 2007, and  
34 26 ending June 30, 2008, the following amounts, or so much  
34 27 thereof as is necessary, to be used for the purposes  
34 28 designated:

34 29 1. For the state mental health institute at Cherokee for

34 30 salaries, support, maintenance, and miscellaneous purposes and  
34 31 for not more than the following full-time equivalent  
34 32 positions:  
34 33 ..... \$ 5,367,652  
34 34 ..... FTEs 210.00  
34 35 2. For the state mental health institute at Clarinda for  
35 1 salaries, support, maintenance, and miscellaneous purposes and  
35 2 for not more than the following full-time equivalent  
35 3 positions:  
35 4 ..... \$ 6,540,101  
35 5 ..... FTEs 109.95  
35 6 3. For the state mental health institute at Independence  
35 7 for salaries, support, maintenance, and miscellaneous purposes  
35 8 and for not more than the following full-time equivalent  
35 9 positions:  
35 10 ..... \$ 9,606,542  
35 11 ..... FTEs 285.66  
35 12 4. For the state mental health institute at Mount Pleasant  
35 13 for salaries, support, maintenance, and miscellaneous purposes  
35 14 and for not more than the following full-time equivalent  
35 15 positions:  
35 16 ..... \$ 1,522,598  
35 17 ..... FTEs 115.84  
35 18 Sec. 23. STATE RESOURCE CENTERS.  
35 19 1. There is appropriated from the general fund of the  
35 20 state to the department of human services for the fiscal year  
35 21 beginning July 1, 2007, and ending June 30, 2008, the  
35 22 following amounts, or so much thereof as is necessary, to be  
35 23 used for the purposes designated:  
35 24 a. For the state resource center at Glenwood for salaries,  
35 25 support, maintenance, and miscellaneous purposes:  
35 26 ..... \$ 15,938,762  
35 27 b. For the state resource center at Woodward for salaries,  
35 28 support, maintenance, and miscellaneous purposes:  
35 29 ..... \$ 10,087,272  
35 30 2. The department may continue to bill for state resource  
35 31 center services utilizing a scope of services approach used  
35 32 for private providers of ICFMR services, in a manner which  
35 33 does not shift costs between the medical assistance program,  
35 34 counties, or other sources of funding for the state resource  
35 35 centers.  
36 1 3. The state resource centers may expand the time-limited  
36 2 assessment and respite services during the fiscal year.  
36 3 4. If the department's administration and the department  
36 4 of management concur with a finding by a state resource  
36 5 center's superintendent that projected revenues can reasonably  
36 6 be expected to pay the salary and support costs for a new  
36 7 employee position, or that such costs for adding a particular  
36 8 number of new positions for the fiscal year would be less than  
36 9 the overtime costs if new positions would not be added, the  
36 10 superintendent may add the new position or positions. If the  
36 11 vacant positions available to a resource center do not include  
36 12 the position classification desired to be filled, the state  
36 13 resource center's superintendent may reclassify any vacant  
36 14 position as necessary to fill the desired position. The  
36 15 superintendents of the state resource centers may, by mutual  
36 16 agreement, pool vacant positions and position classifications  
36 17 during the course of the fiscal year in order to assist one  
36 18 another in filling necessary positions.  
36 19 5. If existing capacity limitations are reached in  
36 20 operating units, a waiting list is in effect for a service or  
36 21 a special need for which a payment source or other funding is  
36 22 available for the service or to address the special need, and  
36 23 facilities for the service or to address the special need can  
36 24 be provided within the available payment source or other  
36 25 funding, the superintendent of a state resource center may  
36 26 authorize opening not more than two units or other facilities  
36 27 and to begin implementing the service or addressing the  
36 28 special need during fiscal year 2007=2008.  
36 29 Sec. 24. MI/MR/DD STATE CASES.  
36 30 1. There is appropriated from the general fund of the  
36 31 state to the department of human services for the fiscal year  
36 32 beginning July 1, 2007, and ending June 30, 2008, the  
36 33 following amount, or so much thereof as is necessary, to be  
36 34 used for the purpose designated:  
36 35 For distribution to counties for state case services for  
37 1 persons with mental illness, mental retardation, and  
37 2 developmental disabilities in accordance with section 331.440:  
37 3 ..... \$ 11,067,178  
37 4 2. For the fiscal year beginning July 1, 2007, and ending  
37 5 June 30, 2008, \$200,000 is allocated for state case services

37 6 from the amounts appropriated from the fund created in section  
37 7 8.41 to the department of human services from the funds  
37 8 received from the federal government under 42 U.S.C., chapter  
37 9 6A, subchapter XVII, relating to the community mental health  
37 10 center block grant, for the federal fiscal years beginning  
37 11 October 1, 2005, and ending September 30, 2006, beginning  
37 12 October 1, 2006, and ending September 30, 2007, and beginning  
37 13 October 1, 2007, and ending September 30, 2008. The  
37 14 allocation made in this subsection shall be made prior to any  
37 15 other distribution allocation of the appropriated federal  
37 16 funds.

37 17 3. Notwithstanding section 8.33, moneys appropriated in  
37 18 this section that remain unencumbered or unobligated at the  
37 19 close of the fiscal year shall not revert but shall remain  
37 20 available for expenditure for the purposes designated until  
37 21 the close of the succeeding fiscal year.

37 22 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==  
37 23 COMMUNITY SERVICES FUND. There is appropriated from the  
37 24 general fund of the state to the mental health and  
37 25 developmental disabilities community services fund created in  
37 26 section 225C.7 for the fiscal year beginning July 1, 2007, and  
37 27 ending June 30, 2008, the following amount, or so much thereof  
37 28 as is necessary, to be used for the purpose designated:

37 29 For mental health and developmental disabilities community  
37 30 services in accordance with this division of this Act:

37 31 ..... \$ 18,017,890

37 32 1. Of the funds appropriated in this section, \$17,727,890  
37 33 shall be allocated to counties for funding of community-based  
37 34 mental health and developmental disabilities services. The  
37 35 moneys shall be allocated to a county as follows:

38 1 a. Fifty percent based upon the county's proportion of the  
38 2 state's population of persons with an annual income which is  
38 3 equal to or less than the poverty guideline established by the  
38 4 federal office of management and budget.

38 5 b. Fifty percent based upon the county's proportion of the  
38 6 state's general population.

38 7 2. a. A county shall utilize the funding the county  
38 8 receives pursuant to subsection 1 for services provided to  
38 9 persons with a disability, as defined in section 225C.2.

38 10 However, no more than 50 percent of the funding shall be used  
38 11 for services provided to any one of the service populations.

38 12 b. A county shall use at least 50 percent of the funding  
38 13 the county receives under subsection 1 for contemporary  
38 14 services provided to persons with a disability, as described  
38 15 in rules adopted by the department.

38 16 3. Of the funds appropriated in this section, \$30,000  
38 17 shall be used to support the Iowa compass program providing  
38 18 computerized information and referral services for Iowans with  
38 19 disabilities and their families.

38 20 4. a. Funding appropriated for purposes of the federal  
38 21 social services block grant is allocated for distribution to  
38 22 counties for local purchase of services for persons with  
38 23 mental illness or mental retardation or other developmental  
38 24 disability.

38 25 b. The funds allocated in this subsection shall be  
38 26 expended by counties in accordance with the county's approved  
38 27 county management plan. A county without an approved county  
38 28 management plan shall not receive allocated funds until the  
38 29 county's management plan is approved.

38 30 c. The funds provided by this subsection shall be  
38 31 allocated to each county as follows:

38 32 (1) Fifty percent based upon the county's proportion of  
38 33 the state's population of persons with an annual income which  
38 34 is equal to or less than the poverty guideline established by  
38 35 the federal office of management and budget.

39 1 (2) Fifty percent based upon the amount provided to the  
39 2 county for local purchase of services in the preceding fiscal  
39 3 year.

39 4 5. A county is eligible for funds under this section if  
39 5 the county qualifies for a state payment as described in  
39 6 section 331.439.

39 7 6. Of the funds appropriated in this section, \$260,000 is  
39 8 allocated to the department for continuing the development of  
39 9 an assessment process for use beginning in a subsequent fiscal  
39 10 year as authorized specifically by a statute to be enacted in  
39 11 a subsequent fiscal year, determining on a consistent basis  
39 12 the needs and capacities of persons seeking or receiving  
39 13 mental health, mental retardation, developmental disabilities,  
39 14 or brain injury services that are paid for in whole or in part  
39 15 by the state or a county. The assessment process shall be  
39 16 developed with the involvement of counties and the mental

39 17 health, mental retardation, developmental disabilities, and  
39 18 brain injury commission.

39 19 7. The most recent population estimates issued by the  
39 20 United States bureau of the census shall be applied for the  
39 21 population factors utilized in this section.

39 22 Sec. 26. SEXUALLY VIOLENT PREDATORS.

39 23 1. There is appropriated from the general fund of the  
39 24 state to the department of human services for the fiscal year  
39 25 beginning July 1, 2007, and ending June 30, 2008, the  
39 26 following amount, or so much thereof as is necessary, to be  
39 27 used for the purpose designated:

39 28 For costs associated with the commitment and treatment of  
39 29 sexually violent predators in the unit located at the state  
39 30 mental health institute at Cherokee, including costs of legal  
39 31 services and other associated costs, including salaries,  
39 32 support, maintenance, and miscellaneous purposes and for not  
39 33 more than the following full-time equivalent positions:  
39 34 ..... \$ 6,296,003  
39 35 ..... FTEs 96.66

40 1 2. Unless specifically prohibited by law, if the amount  
40 2 charged provides for recoupment of at least the entire amount  
40 3 of direct and indirect costs, the department of human services  
40 4 may contract with other states to provide care and treatment  
40 5 of persons placed by the other states at the unit for sexually  
40 6 violent predators at Cherokee. The moneys received under such  
40 7 a contract shall be considered to be repayment receipts and  
40 8 used for the purposes of the appropriation made in this  
40 9 section.

40 10 Sec. 27. FIELD OPERATIONS. There is appropriated from the  
40 11 general fund of the state to the department of human services  
40 12 for the fiscal year beginning July 1, 2007, and ending June  
40 13 30, 2008, the following amount, or so much thereof as is  
40 14 necessary, to be used for the purposes designated:

40 15 For field operations, including salaries, support,  
40 16 maintenance, and miscellaneous purposes and for not more than  
40 17 the following full-time equivalent positions:  
40 18 ..... \$ 63,768,895  
40 19 ..... FTEs 2,045.71

40 20 1. The amount appropriated in this section includes an  
40 21 increase for additional full-time equivalent positions to  
40 22 provide for additional child and family visits.

40 23 2. Priority in filling full-time equivalent positions  
40 24 shall be given to those positions related to child protection  
40 25 services.

40 26 Sec. 28. GENERAL ADMINISTRATION. There is appropriated  
40 27 from the general fund of the state to the department of human  
40 28 services for the fiscal year beginning July 1, 2007, and  
40 29 ending June 30, 2008, the following amount, or so much thereof  
40 30 as is necessary, to be used for the purpose designated:

40 31 For general administration, including salaries, support,  
40 32 maintenance, and miscellaneous purposes and for not more than  
40 33 the following full-time equivalent positions:  
40 34 ..... \$ 16,001,927  
40 35 ..... FTEs 329.90

41 1 1. Of the funds appropriated in this section, \$57,000 is  
41 2 allocated for the prevention of disabilities policy council  
41 3 established in section 225B.3.

41 4 2. Of the funds appropriated in this section, \$350,000 is  
41 5 allocated as additional funding for the division of mental  
41 6 health and disability services for planning, analysis, and  
41 7 other costs associated with improvements to the mental health  
41 8 services system.

41 9 Sec. 29. VOLUNTEERS. There is appropriated from the  
41 10 general fund of the state to the department of human services  
41 11 for the fiscal year beginning July 1, 2007, and ending June  
41 12 30, 2008, the following amount, or so much thereof as is  
41 13 necessary, to be used for the purpose designated:

41 14 For development and coordination of volunteer services:  
41 15 ..... \$ 109,568

41 16 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
41 17 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
41 18 DEPARTMENT OF HUMAN SERVICES.

41 19 1. a. For the fiscal year beginning July 1, 2007, the  
41 20 department shall rebase nursing facility rates, including  
41 21 recalculating the per diem costs and patient day weighted  
41 22 medians used in rate setting for nursing facilities. Any  
41 23 rebasing of nursing facility rates shall be budget neutral.  
41 24 For the fiscal year beginning July 1, 2007, the total state  
41 25 funding amount for the nursing facility budget shall not  
41 26 exceed \$173,717,323. The department, in cooperation with  
41 27 nursing facility representatives, shall review projections for

41 28 state funding expenditures for reimbursement of nursing  
41 29 facilities on a quarterly basis and the department shall  
41 30 determine if an adjustment to the medical assistance  
41 31 reimbursement rate is necessary in order to provide  
41 32 reimbursement within the state funding amount. Any temporary  
41 33 enhanced federal financial participation that may become  
41 34 available to the Iowa medical assistance program during the  
41 35 fiscal year shall not be used in projecting the nursing  
42 1 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,  
42 2 section 4, subsection 2, paragraph "c", and subsection 3,  
42 3 paragraph "a", subparagraph (2), if the state funding  
42 4 expenditures for the nursing facility budget for the fiscal  
42 5 year beginning July 1, 2007, are projected to exceed the  
42 6 amount specified in this lettered paragraph, the department  
42 7 shall adjust the reimbursement for nursing facilities  
42 8 reimbursed under the case-mix reimbursement system to maintain  
42 9 expenditures of the nursing facility budget within the  
42 10 specified amount.

42 11 b. (1) For the fiscal year beginning July 1, 2007, the  
42 12 department shall reimburse pharmacy dispensing fees using a  
42 13 single rate of \$4.52 per prescription, or the pharmacy's usual  
42 14 and customary fee, whichever is lower.

42 15 (2) Beginning July 1, 2007, the department of human  
42 16 services shall adopt rules, pursuant to chapter 17A, to  
42 17 provide for the adjustment of the pharmacy dispensing fee to  
42 18 compensate for any reduction in the drug product cost  
42 19 reimbursement resulting from implementation of the average  
42 20 manufacturer price reimbursement standards for multisource  
42 21 generic drug products imposed pursuant to the federal Deficit  
42 22 Reduction Act of 2005, Pub. L. No. 109=171. In implementing  
42 23 the reimbursement, the department may adjust the reimbursement  
42 24 amount as necessary to provide reimbursement within the state  
42 25 funding appropriated for the fiscal year beginning July 1,  
42 26 2007, and ending June 30, 2008, for this purpose. The  
42 27 department shall submit a medical assistance state plan  
42 28 amendment to the centers for Medicare and Medicaid services of  
42 29 the United States department of health and human services as  
42 30 necessary to implement this section.

42 31 c. (1) For the fiscal year beginning July 1, 2007,  
42 32 reimbursement rates for inpatient and outpatient hospital  
42 33 services shall remain at the rates in effect on June 30, 2007.  
42 34 The department shall continue the outpatient hospital  
42 35 reimbursement system based upon ambulatory patient groups  
43 1 implemented pursuant to 1994 Iowa Acts, chapter 1186, section  
43 2 25, subsection 1, paragraph "f", unless the department adopts  
43 3 the Medicare ambulatory payment classification methodology  
43 4 authorized in subparagraph (2).

43 5 (2) The department may implement the Medicare ambulatory  
43 6 payment classification methodology for reimbursement of  
43 7 outpatient hospital services. Any change in hospital  
43 8 reimbursement shall be budget neutral.

43 9 d. For the fiscal year beginning July 1, 2007,  
43 10 reimbursement rates for rural health clinics, hospices,  
43 11 independent laboratories, and acute mental hospitals shall be  
43 12 increased in accordance with increases under the federal  
43 13 Medicare program or as supported by their Medicare audited  
43 14 costs.

43 15 e. (1) For the fiscal year beginning July 1, 2007,  
43 16 reimbursement rates for home health agencies shall remain at  
43 17 the rates in effect on June 30, 2007, not to exceed a home  
43 18 health agency's actual allowable cost.

43 19 (2) The department shall establish a fixed-fee  
43 20 reimbursement schedule for home health agencies under the  
43 21 medical assistance program beginning July 1, 2007.

43 22 f. For the fiscal year beginning July 1, 2007, federally  
43 23 qualified health centers shall receive cost-based  
43 24 reimbursement for 100 percent of the reasonable costs for the  
43 25 provision of services to recipients of medical assistance.

43 26 g. Beginning July 1, 2007, the reimbursement rates for  
43 27 dental services shall remain at the rates in effect on June  
43 28 30, 2007.

43 29 h. For the fiscal year beginning July 1, 2007, the  
43 30 reimbursement rates for community mental health centers shall  
43 31 be calculated according to a 100 percent cost-based  
43 32 reimbursement methodology.

43 33 i. For the fiscal year beginning July 1, 2007, the maximum  
43 34 reimbursement rate for psychiatric medical institutions for  
43 35 children shall be \$160.71 per day.

44 1 j. For the fiscal year beginning July 1, 2007, unless  
44 2 otherwise specified in this Act, all noninstitutional medical  
44 3 assistance provider reimbursement rates shall remain at the

44 4 rates in effect on June 30, 2007, except for area education  
44 5 agencies, local education agencies, infant and toddler  
44 6 services providers, and those providers whose rates are  
44 7 required to be determined pursuant to section 249A.20.  
44 8 k. Notwithstanding section 249A.20, for the fiscal year  
44 9 beginning July 1, 2007, the average reimbursement rate for  
44 10 health care providers eligible for use of the federal Medicare  
44 11 resource-based relative value scale reimbursement methodology  
44 12 under that section shall remain at the rate in effect on June  
44 13 30, 2007; however, this rate shall not exceed the maximum  
44 14 level authorized by the federal government.  
44 15 1. For the fiscal year beginning July 1, 2007, the  
44 16 reimbursement rate for residential care facilities shall not  
44 17 be less than the minimum payment level as established by the  
44 18 federal government to meet the federally mandated maintenance  
44 19 of effort requirement. The flat reimbursement rate for  
44 20 facilities electing not to file semiannual cost reports shall  
44 21 not be less than the minimum payment level as established by  
44 22 the federal government to meet the federally mandated  
44 23 maintenance of effort requirement.  
44 24 2. For the fiscal year beginning July 1, 2007, the  
44 25 reimbursement rate for providers reimbursed under the in=  
44 26 home-related care program shall not be less than the minimum  
44 27 payment level as established by the federal government to meet  
44 28 the federally mandated maintenance of effort requirement.  
44 29 3. Unless otherwise directed in this section, when the  
44 30 department's reimbursement methodology for any provider  
44 31 reimbursed in accordance with this section includes an  
44 32 inflation factor, this factor shall not exceed the amount by  
44 33 which the consumer price index for all urban consumers  
44 34 increased during the calendar year ending December 31, 2002.  
44 35 4. For the fiscal year beginning July 1, 2007, the foster  
45 1 family basic daily maintenance rate paid in accordance with  
45 2 section 234.38, the maximum adoption subsidy rate, and the  
45 3 maximum supervised apartment living foster care rate for  
45 4 children ages 0 through 5 years shall be \$15.89, the rate for  
45 5 children ages 6 through 11 years shall be \$16.54, the rate for  
45 6 children ages 12 through 15 years shall be \$18.16, and the  
45 7 rate for children ages 16 and older shall be \$18.37.  
45 8 5. For the fiscal year beginning July 1, 2007, the maximum  
45 9 reimbursement rates for social service providers, including  
45 10 the resource family recruitment and retention contractor and  
45 11 the services providers reimbursed by that contractor, shall be  
45 12 increased by 3 percent over the rates in effect on June 30,  
45 13 2007, or to the provider's actual and allowable cost plus  
45 14 inflation for each service, whichever is less. The rates may  
45 15 also be adjusted under any of the following circumstances:  
45 16 a. If a new service was added after June 30, 2007, the  
45 17 initial reimbursement rate for the service shall be based upon  
45 18 actual and allowable costs.  
45 19 b. If a social service provider loses a source of income  
45 20 used to determine the reimbursement rate for the provider, the  
45 21 provider's reimbursement rate may be adjusted to reflect the  
45 22 loss of income, provided that the lost income was used to  
45 23 support actual and allowable costs of a service purchased  
45 24 under a purchase of service contract.  
45 25 6. The group foster care reimbursement rates paid for  
45 26 placement of children out of state shall be calculated  
45 27 according to the same rate-setting principles as those used  
45 28 for in-state providers unless the director of human services  
45 29 or the director's designee determines that appropriate care  
45 30 cannot be provided within the state. The payment of the daily  
45 31 rate shall be based on the number of days in the calendar  
45 32 month in which service is provided.  
45 33 7. For the fiscal year beginning July 1, 2007, the  
45 34 reimbursement rates for remedial service providers shall  
45 35 remain at the rates in effect for June 30, 2007.  
46 1 8. a. For the fiscal year beginning July 1, 2007, the  
46 2 combined service and maintenance components of the  
46 3 reimbursement rate paid for shelter care services purchased  
46 4 under a contract shall be based on the financial and  
46 5 statistical report submitted to the department. The maximum  
46 6 reimbursement rate shall be \$91.45 per day. The department  
46 7 shall reimburse a shelter care provider at the provider's  
46 8 actual and allowable unit cost, plus inflation, not to exceed  
46 9 the maximum reimbursement rate.  
46 10 b. Notwithstanding section 232.141, subsection 8, for the  
46 11 fiscal year beginning July 1, 2007, the amount of the  
46 12 statewide average of the actual and allowable rates for  
46 13 reimbursement of juvenile shelter care homes that is utilized  
46 14 for the limitation on recovery of unpaid costs shall be

46 15 increased by \$2.66 over the amount in effect for this purpose  
46 16 in the preceding fiscal year.

46 17 9. For the fiscal year beginning July 1, 2007, the  
46 18 department shall calculate reimbursement rates for  
46 19 intermediate care facilities for persons with mental  
46 20 retardation at the 80th percentile.

46 21 10. For the fiscal year beginning July 1, 2007, for child  
46 22 care providers reimbursed under the state child care  
46 23 assistance program, the department shall maintain the provider  
46 24 reimbursement rates that were established for the previous  
46 25 fiscal year. The department shall set rates in a manner so as  
46 26 to provide incentives for a nonregistered provider to become  
46 27 registered.

46 28 11. For the fiscal year beginning July 1, 2007,  
46 29 reimbursements for providers reimbursed by the department of  
46 30 human services may be modified if appropriated funding is  
46 31 allocated for that purpose from the senior living trust fund  
46 32 created in section 249H.4, or as specified in appropriations  
46 33 from the healthy Iowans tobacco trust created in section  
46 34 12.65.

46 35 12. The department may adopt emergency rules to implement  
47 1 this section.

47 2 Sec. 31. CHILD SUPPORT COLLECTIONS FEE. The department of  
47 3 human services may adopt emergency rules to implement the  
47 4 provisions of section 252B.5, subsection 12, as enacted by  
47 5 this Act, during the fiscal year beginning July 1, 2007.

47 6 Sec. 32. EMERGENCY RULES. If specifically authorized by a  
47 7 provision of this division of this Act, the department of  
47 8 human services or the mental health, mental retardation,  
47 9 developmental disabilities, and brain injury commission may  
47 10 adopt administrative rules under section 17A.4, subsection 2,  
47 11 and section 17A.5, subsection 2, paragraph "b", to implement  
47 12 the provisions and the rules shall become effective  
47 13 immediately upon filing or on a later effective date specified  
47 14 in the rules, unless the effective date is delayed by the  
47 15 administrative rules review committee. Any rules adopted in  
47 16 accordance with this section shall not take effect before the  
47 17 rules are reviewed by the administrative rules review  
47 18 committee. The delay authority provided to the administrative  
47 19 rules review committee under section 17A.4, subsection 5, and  
47 20 section 17A.8, subsection 9, shall be applicable to a delay  
47 21 imposed under this section, notwithstanding a provision in  
47 22 those sections making them inapplicable to section 17A.5,  
47 23 subsection 2, paragraph "b". Any rules adopted in accordance  
47 24 with the provisions of this section shall also be published as  
47 25 notice of intended action as provided in section 17A.4.

47 26 Sec. 33. REPORTS. Any reports or information required to  
47 27 be compiled and submitted under this division of this Act  
47 28 shall be submitted to the chairpersons and ranking members of  
47 29 the joint appropriations subcommittee on health and human  
47 30 services, the legislative services agency, and the legislative  
47 31 caucus staffs on or before the dates specified for submission  
47 32 of the reports or information.

47 33 Sec. 34. INTERIM STUDY COMMITTEE == ON-SITE OBSERVATION.  
47 34 The legislative council is requested to authorize an interim  
47 35 study committee to provide for on-site observation of services  
48 1 provided under the purview of the joint appropriations  
48 2 subcommittee on health and human services. The membership of  
48 3 the interim study committee should consist of the members of  
48 4 the joint appropriations subcommittee on health and human  
48 5 services and the authorization should provide that, subject to  
48 6 approval by the chairpersons of the joint appropriations  
48 7 subcommittee, each committee member is eligible to participate  
48 8 in not more than three on-site observations, either jointly or  
48 9 individually, on or before November 15, 2007. Following  
48 10 completion of the on-site observations, the interim study  
48 11 committee should be directed to convene a meeting to allow  
48 12 members to report their findings and recommendations. The  
48 13 interim study committee should be directed to submit a report  
48 14 of the compiled findings and recommendations to the general  
48 15 assembly for consideration in the 2008 Legislative Session.

48 16 Sec. 35. Section 239B.17, subsection 1, Code 2007, is  
48 17 amended to read as follows:

48 18 1. PROGRAM ESTABLISHED. The promoting independence and  
48 19 self-sufficiency through employment job opportunities and  
48 20 basic skills program is established for applicants and  
48 21 participants of the family investment program. The  
48 22 requirements of the JOBS program shall vary as provided in the  
48 23 family investment agreement applicable to a family. The  
48 24 department of workforce development, department of economic  
48 25 development, department of education, and all other state,

48 26 county, and public educational agencies and institutions  
48 27 providing vocational rehabilitation, adult education, or  
48 28 vocational or technical training shall assist and cooperate in  
48 29 the JOBS program. The departments, agencies, and institutions  
48 30 shall make agreements and arrangements for maximum cooperation  
48 31 and use of all available resources in the program. ~~By mutual~~  
~~48 32 agreement the~~ The department of human services may ~~delegate~~  
~~48 33 any of the department of human services' powers and duties~~  
~~48 34 under this chapter to contract with~~ the department of  
48 35 workforce development, ~~or to the department of economic~~  
49 1 ~~development, or another appropriate entity to provide JOBS~~  
49 2 ~~program services.~~

49 3 Sec. 36. Section 249A.3, subsection 2, Code 2007, is  
49 4 amended by adding the following new paragraph:

49 5 NEW PARAGRAPH. jj. Women eligible for family planning  
49 6 services under a federally approved demonstration waiver.

49 7 Sec. 37. Section 252B.5, Code 2007, is amended by adding  
49 8 the following new subsection:

49 9 NEW SUBSECTION. 12. a. Beginning October 1, 2007,  
49 10 implement the provision of the federal Deficit Reduction Act  
49 11 of 2005, Pub. L. No. 109=171 } 7310, requiring an annual  
49 12 collections fee of twenty=five dollars in child support cases  
49 13 in which the family has never received assistance under Title  
49 14 IV=A of the federal Social Security Act for whom the unit has  
49 15 collected at least five hundred dollars. After the first five  
49 16 hundred dollars in support is collected in each year for a  
49 17 family, the fee shall be collected from the obligor by  
49 18 retaining twenty five dollars from subsequent collections. If  
49 19 five hundred dollars but less than five hundred twenty=five  
49 20 dollars is collected in any year, any unpaid portion of the  
49 21 annual fee shall not accumulate and is not due. Any amount  
49 22 retained to pay the twenty=five dollar fee shall not reduce  
49 23 the amount of support due under the support order. The unit  
49 24 shall send information regarding the requirements of this  
49 25 subsection by regular mail to the last known address of an  
49 26 affected obligor or obligee, or may include the information  
49 27 for an obligee in an application for services signed by the  
49 28 obligee. In addition, the unit shall take steps necessary  
49 29 regarding the fee to qualify for federal funds in conformity  
49 30 with the provisions of Title IV=D of the federal Social  
49 31 Security Act, including receiving and accounting for fee  
49 32 payments, as appropriate, through the collection services  
49 33 center created in section 252B.13A.

49 34 b. Fees collected pursuant to this subsection shall be  
49 35 considered repayment receipts as defined in section 8.2, and  
50 1 shall be used for the purposes of the unit. The director  
50 2 shall maintain an accurate record of the fees collected and  
50 3 expended under this subsection.

50 4 Sec. 38. 2006 Iowa Acts, chapter 1123, section 1,  
50 5 subsections 3 and 4, are amended to read as follows:

50 6 3. ELIGIBILITY. A child is eligible for the treatment  
50 7 program if at the time of discharge from a psychiatric  
50 8 institution the child is unable to return to the child's  
50 9 family home or participation in the treatment program may  
~~50 10 eliminate or limit the need for placement in a psychiatric~~  
50 11 institution, and one of the following conditions is

50 12 applicable:

50 13 a. The child has treatment issues which cause the child to  
50 14 be at high risk of failing in a foster care placement unless  
50 15 targeted support services are provided.

50 16 b. The child has had multiple previous out=of=home  
50 17 placements.

50 18 4. ELIGIBILITY DETERMINATION. Children who are  
50 19 potentially eligible for a treatment program shall be  
50 20 identified by the administrator of a treatment program prior  
~~50 21 to or~~ at the time of the child's admission to a psychiatric  
50 22 institution. In order to be admitted to the treatment  
50 23 program, the treatment program administrator must determine  
50 24 the child has a need that can be met by the program, the child  
50 25 can be placed with an appropriate family foster care provider,  
50 26 and appropriate services to support the child are available in  
50 27 the family foster care placement. The determination shall be  
50 28 made in coordination with the child's family, department  
50 29 staff, and other persons involved with decision making for the  
50 30 child's out=of=home placement.

50 31 Sec. 39. 2006 Iowa Acts, chapter 1123, section 1, is  
50 32 amended by adding the following new subsection:

50 33 NEW SUBSECTION. 5A. OTHER PROVISIONS.

50 34 a. The pilot project provisions shall allow children who  
50 35 are voluntarily placed in a psychiatric institution to  
51 1 participate in the pilot project.

51 2 b. The pilot project shall allow exceptions to allow more  
51 3 than two children to be placed in a pilot project home if  
51 4 deemed appropriate in order to keep siblings together or for  
51 5 other good cause.

51 6 Sec. 40. 2006 Iowa Acts, chapter 1168, section 14,  
51 7 unnumbered paragraph 3, is amended to read as follows:

51 8 If the amount of the child care and development block grant  
51 9 to be received exceeds the amount appropriated in this section  
51 10 and the excess amount is sufficient to fund both the purposes  
51 11 identified by the department for the excess amount and the  
51 12 purpose described in this sentence, notwithstanding any  
51 13 contrary provision enacted by the Eighty-first General  
51 14 Assembly, 2006 Session, the department shall, to the extent  
51 15 sufficient funds are available, set child care provider  
51 16 reimbursement rates based on the most recently completed rate  
51 17 reimbursement survey. ~~Moneys Notwithstanding section 8.33,~~  
~~51 18 moneys~~ appropriated in this section that remain unencumbered  
51 19 or unobligated at the close of the federal fiscal year shall  
51 20 not revert to be but shall remain available for ~~appropriation~~  
~~51 21 for to be used for expenditure for~~ purposes of the child care  
51 22 and development block grant in the succeeding federal fiscal  
51 23 year.

51 24 Sec. 41. 2006 Iowa Acts, chapter 1184, section 5,  
51 25 subsection 2, is amended by adding the following new  
51 26 unnumbered paragraph:

51 27 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and  
51 28 section 35D.18, subsection 5, moneys appropriated in this  
51 29 subsection that remain unencumbered or unobligated at the  
51 30 close of the fiscal year shall not revert but shall remain  
51 31 available for expenditure in succeeding fiscal years. Of the  
51 32 amount remaining available for expenditure under this  
51 33 paragraph, the first \$500,000 shall be used for Iowa veterans  
51 34 home operations in the immediately succeeding fiscal year, the  
51 35 next \$2,000,000 shall be transferred and credited to the  
52 1 veterans trust fund created in section 35A.13, the next  
52 2 \$500,000 shall be used for Iowa veterans home operations in  
52 3 the immediately succeeding fiscal year, and the balance shall  
52 4 be transferred to the appropriation made in 2006 Iowa Acts,  
52 5 chapter 1179, section 16, subsection 12, for the fiscal year  
52 6 beginning July 1, 2006, to be used for purposes of capital  
52 7 improvements, renovations, or new construction at the Iowa  
52 8 veterans home.

52 9 Sec. 42. 2006 Iowa Acts, chapter 1184, section 6,  
52 10 subsection 7, is amended to read as follows:

52 11 7. For state child care assistance:

52 12 ..... \$ ~~15,756,560~~  
52 13 16,756,560

52 14 a. Of the funds appropriated in this subsection, \$200,000  
52 15 shall be used for provision of educational opportunities to  
52 16 registered child care home providers in order to improve  
52 17 services and programs offered by this category of providers  
52 18 and to increase the number of providers. The department may  
52 19 contract with institutions of higher education or child care  
52 20 resource and referral centers to provide the educational  
52 21 opportunities. Allowable administrative costs under the  
52 22 contracts shall not exceed 5 percent. The application for a  
52 23 grant shall not exceed two pages in length.

52 24 b. The funds appropriated in this subsection shall be  
52 25 transferred to the child care and development block grant  
52 26 appropriation.

52 27 Notwithstanding section 8.33, moneys appropriated in this  
52 28 subsection that remain unencumbered or unobligated at the  
52 29 close of the fiscal year shall not revert but shall remain  
52 30 available for expenditure for the purposes designated until  
52 31 the close of the succeeding fiscal year.

52 32 Sec. 43. 2006 Iowa Acts, chapter 1184, section 9, is  
52 33 amended by adding the following new subsection:

52 34 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys  
52 35 appropriated in this section that remain unencumbered or  
53 1 unobligated at the close of the fiscal year shall not revert  
53 2 but shall remain available for expenditure for the purposes  
53 3 designated until the close of the succeeding fiscal year.

53 4 Sec. 44. 2006 Iowa Acts, chapter 1184, section 13, is  
53 5 amended by adding the following new subsection:

53 6 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to  
53 7 \$1,100,000 of the moneys appropriated in this section that  
53 8 remain unencumbered or unobligated at the close of the fiscal  
53 9 year shall not revert but shall remain available for  
53 10 expenditure for the purposes designated until the close of the  
53 11 succeeding fiscal year.

53 12 Sec. 45. 2006 Iowa Acts, chapter 1184, section 15, is

53 13 amended by adding the following new subsection:  
53 14 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys  
53 15 appropriated in this section that remain unencumbered or  
53 16 unobligated at the close of the fiscal year shall not revert  
53 17 to any fund but shall remain available for expenditure for the  
53 18 purposes designated until the close of the succeeding fiscal  
53 19 year.

53 20 Sec. 46. 2006 Iowa Acts, chapter 1184, section 18, is  
53 21 amended by adding the following new subsection:  
53 22 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to  
53 23 \$2,000,000 of the moneys appropriated in this section that  
53 24 remain unencumbered or unobligated at the close of the fiscal  
53 25 year shall not revert but shall remain available for  
53 26 expenditure for the purposes designated until the close of the  
53 27 succeeding fiscal year.

53 28 Sec. 47. 2006 Iowa Acts, chapter 1184, section 23, is  
53 29 amended by adding the following new subsection:  
53 30 NEW SUBSECTION. 7. a. Notwithstanding sections 8.33 and  
53 31 222.92, of the revenues available to the state resource  
53 32 centers that remain unencumbered or unobligated at the close  
53 33 of the fiscal year, the indicated amounts shall not revert but  
53 34 shall remain available for expenditure for the purposes  
53 35 designated until the close of the succeeding fiscal year:

54 1 (1) For the state resource center at Glenwood, \$1,000,000.  
54 2 (2) For the state resource center at Woodward, \$1,000,000.  
54 3 b. Of the amounts designated in paragraph "a", the amounts  
54 4 above \$250,000 at each resource center shall be used to  
54 5 continue the procurement and installation of the electronic  
54 6 medical records system initiated in the fiscal year beginning  
54 7 July 1, 2005.

54 8 Sec. 48. 2006 Iowa Acts, chapter 1184, section 24, is  
54 9 amended by adding the following new subsection:  
54 10 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys  
54 11 appropriated in this section that remain unencumbered or  
54 12 unobligated at the close of the fiscal year shall not revert  
54 13 but shall remain available for expenditure for the purposes  
54 14 designated until the close of the succeeding fiscal year.

54 15 Sec. 49. 2006 Iowa Acts, chapter 1184, section 27, is  
54 16 amended by adding the following new unnumbered paragraph:  
54 17 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, up  
54 18 to \$1,500,000 of the moneys appropriated in this section that  
54 19 remain unencumbered or unobligated at the close of the fiscal  
54 20 year shall not revert but shall remain available for  
54 21 expenditure until the close of the succeeding fiscal year.

54 22 Sec. 50. 2006 Iowa Acts, chapter 1185, section 34, is  
54 23 amended by adding the following new unnumbered paragraph:  
54 24 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
54 25 the moneys appropriated in this section for the county grant  
54 26 program for veterans that remain unencumbered or unobligated  
54 27 at the close of the fiscal year shall not revert but shall  
54 28 remain available for expenditure for the purposes designated  
54 29 until the close of the succeeding fiscal year.

54 30 Sec. 51. EFFECTIVE DATES. The following provisions of  
54 31 this division of this Act, being deemed of immediate  
54 32 importance, take effect upon enactment:

54 33 1. The provision under the appropriation for child and  
54 34 family services, relating to requirements of section 232.143  
54 35 for representatives of the department of human services and  
55 1 juvenile court services to establish a plan for continuing  
55 2 group foster care expenditures for the 2007=2008 fiscal year.

55 3 2. The provision amending 2006 Iowa Acts, chapter 1168,  
55 4 section 14.

55 5 3. The provision amending 2006 Iowa Acts, chapter 1184,  
55 6 section 5.

55 7 4. The provision amending 2006 Iowa Acts, chapter 1184,  
55 8 section 6.

55 9 5. The provision amending 2006 Iowa Acts, chapter 1184,  
55 10 section 9.

55 11 6. The provision amending 2006 Iowa Acts, chapter 1184,  
55 12 section 13.

55 13 7. The provision amending 2006 Iowa Acts, chapter 1184,  
55 14 section 15.

55 15 8. The provision amending 2006 Iowa Acts, chapter 1184,  
55 16 section 18.

55 17 9. The provision amending 2006 Iowa Acts, chapter 1184,  
55 18 section 23.

55 19 10. The provision amending 2006 Iowa Acts, chapter 1184,  
55 20 section 24.

55 21 11. The provision amending 2006 Iowa Acts, chapter 1184,  
55 22 section 27.

55 23 12. The provision amending 2006 Iowa Acts, chapter 1185,

55 24 section 34.

55 25 DIVISION II  
55 26 SENIOR LIVING TRUST FUND,  
55 27 PHARMACEUTICAL SETTLEMENT ACCOUNT,  
55 28 IOWACARE ACCOUNT, AND HEALTH CARE  
55 29 TRANSFORMATION ACCOUNT

55 30 Sec. 52. DEPARTMENT OF ELDER AFFAIRS. There is  
55 31 appropriated from the senior living trust fund created in  
55 32 section 249H.4 to the department of elder affairs for the  
55 33 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
55 34 the following amount, or so much thereof as is necessary, to  
55 35 be used for the purpose designated:

56 1 For the development and implementation of a comprehensive  
56 2 senior living program, including case management only if the  
56 3 monthly cost per client for case management for the frail  
56 4 elderly services provided does not exceed an average of \$70,  
56 5 and including program administration and costs associated with  
56 6 implementation, salaries, support, maintenance, and  
56 7 miscellaneous purposes and for not more than the following  
56 8 full-time equivalent positions:

56 9 ..... \$ 8,384,044  
56 10 ..... FTEs 3.00

56 11 1. Of the funds appropriated in this section, \$2,196,967  
56 12 shall be used for case management for the frail elderly. Of  
56 13 the funds allocated in this subsection, \$1,010,000 shall be  
56 14 transferred to the department of human services in equal  
56 15 amounts on a quarterly basis for reimbursement of case  
56 16 management services provided under the medical assistance  
56 17 elderly waiver. The monthly cost per client for case  
56 18 management for the frail elderly services provided shall not  
56 19 exceed an average of \$70.

56 20 2. Notwithstanding section 249H.7, the department of elder  
56 21 affairs shall distribute up to \$400,000 of the funds  
56 22 appropriated in this section in a manner that will supplement  
56 23 and maximize federal funds under the federal Older Americans  
56 24 Act and shall not use the amount distributed for any  
56 25 administrative purposes of either the department of elder  
56 26 affairs or the area agencies on aging.

56 27 3. Of the funds appropriated in this section, \$60,000  
56 28 shall be used to provide dementia-specific education to direct  
56 29 care workers and other providers of long-term care to enhance  
56 30 existing or scheduled efforts through the Iowa caregivers  
56 31 association, the Alzheimer's association, and other  
56 32 organizations identified as appropriate by the department.

56 33 Sec. 53. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
56 34 appropriated from the senior living trust fund created in  
56 35 section 249H.4 to the department of inspections and appeals  
57 1 for the fiscal year beginning July 1, 2007, and ending June  
57 2 30, 2008, the following amount, or so much thereof as is  
57 3 necessary, to be used for the purpose designated:

57 4 For the inspection and certification of assisted living  
57 5 facilities and adult day care services, including program  
57 6 administration and costs associated with implementation,  
57 7 salaries, support, maintenance, and miscellaneous purposes and  
57 8 for not more than the following full-time equivalent  
57 9 positions:

57 10 ..... \$ 790,751  
57 11 ..... FTEs 5.00

57 12 Sec. 54. DEPARTMENT OF HUMAN SERVICES. There is  
57 13 appropriated from the senior living trust fund created in  
57 14 section 249H.4 to the department of human services for the  
57 15 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
57 16 the following amounts, or so much thereof as is necessary, to  
57 17 be used for the purpose designated:

57 18 1. To supplement the medical assistance appropriation,  
57 19 including program administration and costs associated with  
57 20 implementation, salaries, support, maintenance, and  
57 21 miscellaneous purposes and for not more than the following  
57 22 full-time equivalent positions:

57 23 ..... \$ 65,000,000  
57 24 ..... FTEs 5.00

57 25 2. Notwithstanding sections 249H.4 and 249H.5, the  
57 26 department of human services may use moneys from the senior  
57 27 living trust fund for cash flow purposes to make payments  
57 28 under the nursing facility or hospital upper payment limit  
57 29 methodology. The amount of any moneys so used shall be  
57 30 refunded to the senior living trust fund within the same  
57 31 fiscal year and in a prompt manner.

57 32 In order to carry out the purposes of this section, the  
57 33 department may transfer funds appropriated in this section to  
57 34 supplement other appropriations made to the department of

57 35 human services.

58 1 Sec. 55. IOWA FINANCE AUTHORITY. There is appropriated  
58 2 from the senior living trust fund created in section 249H.4 to  
58 3 the Iowa finance authority for the fiscal year beginning July  
58 4 1, 2007, and ending June 30, 2008, the following amount, or so  
58 5 much thereof as is necessary, to be used for the purposes  
58 6 designated:

58 7 To provide reimbursement for rent expenses to eligible  
58 8 persons:

58 9 ..... \$ 700,000

58 10 Participation in the rent subsidy program shall be limited  
58 11 to only those persons who meet the requirements for the  
58 12 nursing facility level of care for home and community-based  
58 13 services waiver services as in effect on July 1, 2007.

58 14 Sec. 56. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
58 15 appropriated from the pharmaceutical settlement account  
58 16 created in section 249A.33 to the department of human services  
58 17 for the fiscal year beginning July 1, 2007, and ending June  
58 18 30, 2008, the following amount, or so much thereof as is  
58 19 necessary, to be used for the purpose designated:

58 20 To supplement the appropriations made for medical contracts  
58 21 under the medical assistance program:

58 22 ..... \$ 1,323,833

58 23 Sec. 57. APPROPRIATIONS FROM IOWACARE ACCOUNT.

58 24 1. There is appropriated from the IowaCare account created  
58 25 in section 249J.24 to the state board of regents for  
58 26 distribution to the university of Iowa hospitals and clinics  
58 27 for the fiscal year beginning July 1, 2007, and ending June  
58 28 30, 2008, the following amount, or so much thereof as is  
58 29 necessary, to be used for the purposes designated:

58 30 For salaries, support, maintenance, equipment, and  
58 31 miscellaneous purposes, for the provision of medical and  
58 32 surgical treatment of indigent patients, for provision of  
58 33 services to members of the expansion population pursuant to  
58 34 chapter 249J, and for medical education:

58 35 ..... \$ 27,284,584

59 1 a. The university of Iowa hospitals and clinics shall,  
59 2 when medically appropriate, make reasonable efforts to extend  
59 3 the university of Iowa hospitals and clinics' use of home  
59 4 telemedicine and other technologies to reduce the frequency of  
59 5 visits to the hospital required by indigent patients.

59 6 b. The university of Iowa hospitals and clinics shall  
59 7 submit quarterly a report regarding the portion of the  
59 8 appropriation in this subsection expended on medical  
59 9 education. The report shall be submitted in a format jointly  
59 10 developed by the university of Iowa hospitals and clinics, the  
59 11 legislative services agency, and the department of management,  
59 12 and shall delineate the expenditures and purposes of the  
59 13 funds.

59 14 c. Funds appropriated in this subsection shall not be used  
59 15 to perform abortions except medically necessary abortions, and  
59 16 shall not be used to operate the early termination of  
59 17 pregnancy clinic except for the performance of medically  
59 18 necessary abortions. For the purpose of this subsection, an  
59 19 abortion is the purposeful interruption of pregnancy with the  
59 20 intention other than to produce a live-born infant or to  
59 21 remove a dead fetus, and a medically necessary abortion is one  
59 22 performed under one of the following conditions:

59 23 (1) The attending physician certifies that continuing the  
59 24 pregnancy would endanger the life of the pregnant woman.

59 25 (2) The attending physician certifies that the fetus is  
59 26 physically deformed, mentally deficient, or afflicted with a  
59 27 congenital illness.

59 28 (3) The pregnancy is the result of a rape which is  
59 29 reported within 45 days of the incident to a law enforcement  
59 30 agency or public or private health agency which may include a  
59 31 family physician.

59 32 (4) The pregnancy is the result of incest which is  
59 33 reported within 150 days of the incident to a law enforcement  
59 34 agency or public or private health agency which may include a  
59 35 family physician.

60 1 (5) The abortion is a spontaneous abortion, commonly known  
60 2 as a miscarriage, wherein not all of the products of  
60 3 conception are expelled.

60 4 d. Notwithstanding any provision of law to the contrary,  
60 5 the amount appropriated in this subsection shall be allocated  
60 6 in twelve equal monthly payments as provided in section  
60 7 249J.24.

60 8 2. There is appropriated from the IowaCare account created  
60 9 in section 249J.24 to the state board of regents for  
60 10 distribution to the university of Iowa hospitals and clinics

60 11 for the fiscal year beginning July 1, 2007, and ending June  
60 12 30, 2008, the following amount, or so much thereof as is  
60 13 necessary, to be used for the purposes designated:  
60 14 For salaries, support, maintenance, equipment, and  
60 15 miscellaneous purposes, for the provision of medical and  
60 16 surgical treatment of indigent patients, for provision of  
60 17 services to members of the expansion population pursuant to  
60 18 chapter 249J, and for medical education:  
60 19 ..... \$ 10,000,000  
60 20 The amount appropriated in this subsection shall be  
60 21 distributed only if federal funds are available to match the  
60 22 amount appropriated and expenses are incurred to serve the  
60 23 IowaCare expansion population.  
60 24 3. There is appropriated from the IowaCare account created  
60 25 in section 249J.24 to the department of human services for the  
60 26 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
60 27 the following amount, or so much thereof as is necessary, to  
60 28 be used for the purposes designated:  
60 29 For distribution to a publicly owned acute care teaching  
60 30 hospital located in a county with a population over three  
60 31 hundred fifty thousand for the provision of medical and  
60 32 surgical treatment of indigent patients, for provision of  
60 33 services to members of the expansion population pursuant to  
60 34 chapter 249J, and for medical education:  
60 35 ..... \$ 40,000,000  
61 1 Notwithstanding any provision of law to the contrary, the  
61 2 amount appropriated in this subsection shall be allocated in  
61 3 twelve equal monthly payments as provided in section 249J.24.  
61 4 Any amount appropriated in this subsection in excess of  
61 5 \$37,000,000 shall be allocated only if federal funds are  
61 6 available to match the amount allocated.  
61 7 4. There is appropriated from the IowaCare account created  
61 8 in section 249J.24 to the department of human services for the  
61 9 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
61 10 the following amounts, or so much thereof as is necessary, to  
61 11 be used for the purposes designated:  
61 12 a. For the state mental health institute at Cherokee, for  
61 13 salaries, support, maintenance, and miscellaneous purposes,  
61 14 including services to members of the expansion population  
61 15 pursuant to chapter 249J:  
61 16 ..... \$ 9,098,425  
61 17 b. For the state mental health institute at Clarinda, for  
61 18 salaries, support, maintenance, and miscellaneous purposes,  
61 19 including services to members of the expansion population  
61 20 pursuant to chapter 249J:  
61 21 ..... \$ 1,977,305  
61 22 c. For the state mental health institute at Independence,  
61 23 for salaries, support, maintenance, and miscellaneous  
61 24 purposes, including services to members of the expansion  
61 25 population pursuant to chapter 249J:  
61 26 ..... \$ 9,045,894  
61 27 d. For the state mental health institute at Mount  
61 28 Pleasant, for salaries, support, maintenance, and  
61 29 miscellaneous purposes, including services to members of the  
61 30 expansion population pursuant to chapter 249J:  
61 31 ..... \$ 5,752,587  
61 32 Sec. 58. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
61 33 TRANSFORMATION. There is appropriated from the account for  
61 34 health care transformation created in section 249J.23, to the  
61 35 department of human services, for the fiscal year beginning  
62 1 July 1, 2007, and ending June 30, 2008, the following amounts,  
62 2 or so much thereof as is necessary, to be used for the  
62 3 purposes designated:  
62 4 1. For the costs of medical examinations and development  
62 5 of personal health improvement plans for the expansion  
62 6 population pursuant to section 249J.6:  
62 7 ..... \$ 556,800  
62 8 2. For the provision of a medical information hotline for  
62 9 the expansion population as provided in section 249J.6:  
62 10 ..... \$ 150,000  
62 11 3. For the mental health transformation pilot program:  
62 12 ..... \$ 250,000  
62 13 4. For other health promotion partnership activities  
62 14 pursuant to section 249J.14:  
62 15 ..... \$ 550,000  
62 16 5. For the costs related to audits, performance  
62 17 evaluations, and studies required pursuant to chapter 249J:  
62 18 ..... \$ 400,000  
62 19 6. For administrative costs associated with chapter 249J:  
62 20 ..... \$ 930,352  
62 21 7. For planning and development, in cooperation with the

62 22 department of public health, of a phased-in program to provide  
62 23 a dental home for children:  
62 24 ..... \$ 1,186,475  
62 25 The department may issue a request for proposals for a  
62 26 performance-based contract to implement the dental home for  
62 27 children and shall apply for any waivers from the centers for  
62 28 Medicare and Medicaid services of the United States department  
62 29 of health and human services, as necessary, to pursue a  
62 30 phased-in approach. The department shall submit progress  
62 31 reports regarding the planning and development of the dental  
62 32 home for children to the medical assistance projections and  
62 33 assessment council on a periodic basis.

62 34 Notwithstanding section 8.39, subsection 1, without the  
62 35 prior written consent and approval of the governor and the  
63 1 director of the department of management, the director of  
63 2 human services may transfer funds among the appropriations  
63 3 made in this section, as necessary to carry out the purposes  
63 4 of the account for health care transformation. The department  
63 5 shall report any transfers made pursuant to this section to  
63 6 the legislative services agency.

63 7 Sec. 59. TRANSFER FROM ACCOUNT FOR HEALTH CARE  
63 8 TRANSFORMATION. There is transferred from the account for  
63 9 health care transformation created pursuant to section  
63 10 249J.23, to the IowaCare account created in section 249J.24, a  
63 11 total of \$5,000,000 for the fiscal year beginning July 1,  
63 12 2007, and ending June 30, 2008.

63 13 Sec. 60. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR  
63 14 LIVING TRUST FUND FOR FY 2007=2008. Notwithstanding section  
63 15 8.33, if moneys appropriated for purposes of the medical  
63 16 assistance program for the fiscal year beginning July 1, 2007,  
63 17 and ending June 30, 2008, from the general fund of the state,  
63 18 the senior living trust fund, the healthy Iowans tobacco trust  
63 19 fund, and the health care trust fund are in excess of actual  
63 20 expenditures for the medical assistance program and remain  
63 21 unencumbered or unobligated at the close of the fiscal year,  
63 22 the excess moneys shall not revert but shall be transferred to  
63 23 the senior living trust fund created in section 249H.4.

63 24 DIVISION III  
63 25 MH/MR/DD/BI SERVICES  
63 26 ALLOWED GROWTH FUNDING ==  
63 27 FY 2007=2008

63 28 Sec. 61. Section 225C.7, subsection 2, Code 2007, is  
63 29 amended to read as follows:

63 30 2. Moneys appropriated to the fund shall be allocated to  
63 31 counties for funding of community-based mental health, mental  
63 32 retardation, developmental disabilities, and brain injury  
63 33 services in the manner provided in the appropriation to the  
63 34 fund. If the allocation methodology includes a population  
63 35 factor, the most recent population estimates issued by the  
64 1 United States bureau of the census shall be applied.

64 2 Sec. 62. Section 331.438, subsection 1, paragraph b, Code  
64 3 2007, is amended by striking the paragraph.

64 4 Sec. 63. Section 331.438, subsection 2, Code 2007, is  
64 5 amended to read as follows:

64 6 2. ~~a.~~ A state payment to a county for a fiscal year shall  
64 7 consist of the sum of the state funding the county is eligible  
64 8 to receive from the property tax relief fund in accordance  
64 9 with section 426B.2 plus the county's portion of state funds  
64 10 appropriated for the allowed growth factor adjustment  
64 11 established by the general assembly under section 331.439,  
64 12 subsection 3, and paid from the allowed growth funding pool in  
64 13 accordance with section 426B.5.

~~64 14 b. A county's portion of the allowed growth factor  
64 15 adjustment appropriation for a fiscal year shall be determined  
64 16 based upon the county's proportion of the state's general  
64 17 population.~~

~~64 18 c. The department of human services shall provide for  
64 19 payment of the amount due a county for the county's allowed  
64 20 growth factor adjustment determined in accordance with this  
64 21 subsection. The director of human services shall authorize  
64 22 warrants payable to the county treasurer for the amounts due  
64 23 and the warrants shall be mailed in January of each year. The  
64 24 county treasurer shall credit the amount of the warrant to the  
64 25 county's services fund created under section 331.424A.~~

~~64 26 d. Unless otherwise provided by law, in order to be  
64 27 included in any distribution formula for the allowed growth  
64 28 factor adjustment and to receive an allowed growth factor  
64 29 adjustment payment, a county must levy seventy percent or more  
64 30 of the maximum amount allowed for the county's services fund  
64 31 for taxes due and payable in the fiscal year for which the  
64 32 allowed growth factor adjustment is payable.~~

64 33 Sec. 64. Section 426B.5, subsection 1, Code 2007, is  
64 34 amended to read as follows:

64 35 1. ~~PER CAPITA EXPENDITURE TARGET ALLOWED GROWTH FUNDING~~  
65 1 POOL.

65 2 a. ~~A per capita expenditure target~~ An allowed growth  
65 3 funding pool is created in the property tax relief fund. The  
65 4 pool shall consist of the moneys credited to the pool by law.

65 5 b. ~~A statewide per capita expenditure target amount is~~  
65 6 ~~established. The statewide per capita expenditure target~~  
65 7 ~~amount shall be equal to the one-hundredth percentile of all~~  
65 8 ~~county per capita expenditures in the fiscal year beginning~~  
65 9 ~~July 1, 1997, and ending June 30, 1998.~~

65 10 c. ~~Moneys available in the per capita expenditure~~  
65 11 ~~allowed growth funding pool for a fiscal year are appropriated~~  
65 12 ~~to the department of human services for distribution as~~  
65 13 ~~provided in this subsection.~~

65 14 d. ~~The first twelve million dollars credited to the~~  
65 15 ~~funding pool shall be allocated to counties based upon the~~  
65 16 ~~county's relative proportion of the state's general~~  
65 17 ~~population.~~

65 18 e. ~~(1) The amount in the funding pool remaining after the~~  
65 19 ~~allocation made in paragraph "c" shall be distributed~~  
65 20 ~~allocated to those counties that meet all of the following~~  
65 21 ~~eligibility requirements:~~

65 22 ~~(1) (a) The county is levying the maximum amount allowed~~  
65 23 ~~for the county's mental health, mental retardation, and~~  
65 24 ~~developmental disabilities services fund under section~~  
65 25 ~~331.424A for the fiscal year in which the funding is~~  
65 26 ~~distributed.~~

65 27 ~~(2) The county's per capita expenditure in the latest~~  
65 28 ~~fiscal year for which the actual expenditure information is~~  
65 29 ~~available is equal to or less than the statewide per capita~~  
65 30 ~~expenditure target amount.~~

65 31 ~~(3) (b) In the latest fiscal year that commenced two~~  
65 32 ~~years prior to the fiscal year of distribution reported in~~  
65 33 ~~accordance with section 331.403, the county's mental health,~~  
65 34 ~~mental retardation, and developmental disabilities services~~  
65 35 ~~fund ending balance under generally accepted accounting~~  
66 1 ~~principles was equal to or less than twenty-five percent of~~  
66 2 ~~the county's actual gross expenditures for the that fiscal~~  
66 3 ~~year that commenced two years prior to the fiscal year of~~  
66 4 ~~distribution.~~

66 5 ~~(4) The county is in compliance with the filing date~~  
66 6 ~~requirements under section 331.403.~~

66 7 d. ~~(2) The distribution amount allocated to a county~~  
66 8 ~~receives from the moneys available in the pool under this~~  
66 9 ~~paragraph "d" shall be determined based upon the county's~~  
66 10 ~~proportion of the general population of the counties eligible~~  
66 11 ~~to receive moneys from the pool for that fiscal year.~~  
66 12 ~~However, a county shall not receive moneys in excess of the~~  
66 13 ~~amount which would cause the county's per capita expenditure~~  
66 14 ~~to exceed the statewide per capita expenditure target.~~

66 15 e. ~~In order to receive an allocation under this section, a~~  
66 16 ~~county must comply with the filing date requirements under~~  
66 17 ~~section 331.403. Moneys credited to the per capita~~

66 18 ~~expenditure target allowed growth funding pool which remain~~  
66 19 ~~unobligated or unexpended at the close of a fiscal year shall~~  
66 20 ~~remain in the pool for distribution in the succeeding fiscal~~  
66 21 ~~year.~~

66 22 f. ~~The most recent population estimates issued by the~~  
66 23 ~~United States bureau of the census shall be applied in~~  
66 24 ~~determining population for the purposes of this subsection.~~

66 25 g. ~~The department of human services shall annually~~  
66 26 ~~calculate the amount of moneys due to eligible counties in~~  
66 27 ~~accordance with this subsection. The department shall~~  
66 28 ~~authorize the issuance of warrants payable to the county~~  
66 29 ~~treasurer for the amounts due and the warrants shall be issued~~  
66 30 ~~in January.~~

66 31 Sec. 65. 2006 Iowa Acts, chapter 1185, section 1, is  
66 32 amended to read as follows:

66 33 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
66 34 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ALLOCATIONS  
66 35 == FISCAL YEAR 2007=2008.

67 1 1. There is appropriated from the general fund of the  
67 2 state to the department of human services for the fiscal year  
67 3 beginning July 1, 2007, and ending June 30, 2008, the  
67 4 following amount, or so much thereof as is necessary, to be  
67 5 used for the purpose designated:

67 6 For distribution to counties of the county mental health,  
67 7 mental retardation, and developmental disabilities allowed  
67 8 growth factor adjustment, as provided in this section in lieu

67 9 of the provisions of section 331.438, subsection 2, and  
67 10 section 331.439, subsection 3, and chapter 426B:  
67 11 ..... \$ 43,287,141  
67 12 36,888,041  
67 13 1A. There is appropriated from the property tax relief  
67 14 fund to the department of human services for the fiscal year  
67 15 beginning July 1, 2007, and ending June 30, 2008, the  
67 16 following amount, or so much thereof as is necessary, to be  
67 17 used for the purposes designated:  
67 18 For distribution to counties of the county mental health,  
67 19 mental retardation, and developmental disabilities allowed  
67 20 growth factor adjustment, as provided in this section in lieu  
67 21 of the provisions of section 331.438, subsection 2, and  
67 22 section 331.439, subsection 3, and chapter 426B:  
67 23 ..... \$ 7,592,099  
67 24 2. The funding appropriated in this section is the allowed  
67 25 growth factor adjustment for fiscal year 2007=2008, and is  
67 26 allocated as follows:  
67 27 a. ~~For distribution to counties for fiscal year 2007=2008~~  
67 28 ~~in accordance with the formula in section 331.438, subsection~~  
67 29 ~~2, paragraph "b":~~  
67 30 ..... \$ 12,000,000  
67 31 b. ~~a. For deposit in the per capita expenditure target~~  
67 32 ~~allowed growth funding pool created in the property tax relief~~  
67 33 ~~fund and for distribution in accordance with section 426B.5,~~  
67 34 ~~subsection 1:~~  
67 35 ..... \$ 24,360,548  
68 1 41,553,547  
68 2 c. ~~b. For deposit in the risk pool created in the~~  
68 3 ~~property tax relief fund and for distribution in accordance~~  
68 4 ~~with section 426B.5, subsection 2:~~  
68 5 ..... \$ 2,000,000  
68 6 0  
68 7 d. ~~c. For expansion of services to persons with transfer~~  
68 8 ~~to the department of public health for the brain injury~~  
68 9 ~~services program in accordance with the law enacted by the~~  
68 10 ~~Eighty-first General Assembly, 2006 Session, as law providing~~  
68 11 ~~for such expansion of services to commence in the fiscal year~~  
68 12 ~~beginning July 1, 2006 section 135.22B:~~  
68 13 ..... \$ 4,926,593  
68 14 2,926,593  
68 15 ~~if 2006 Iowa Acts, House File 2772, is enacted by the~~  
68 16 ~~Eighty-first General Assembly, 2006 Session, the allocation~~  
68 17 ~~made in this lettered paragraph shall be transferred to the~~  
68 18 ~~Iowa department of public health to be used for the brain~~  
68 19 ~~injury services program created pursuant to that Act.~~  
68 20 Sec. 66. 2006 Iowa Acts, chapter 1185, section 1, is  
68 21 amended by adding the following new subsections:  
68 22 NEW SUBSECTION. 3. The following formula amounts shall be  
68 23 utilized only to calculate preliminary distribution amounts  
68 24 for fiscal year 2007=2008 under this section by applying the  
68 25 indicated formula provisions to the formula amounts and  
68 26 producing a preliminary distribution total for each county:  
68 27 a. For calculation of a distribution amount for eligible  
68 28 counties from the allowed growth funding pool created in the  
68 29 property tax relief fund in accordance with the requirements  
68 30 in section 426B.5, subsection 1:  
68 31 ..... \$ 49,218,123  
68 32 b. For calculation of a distribution amount for counties  
68 33 from the mental health and developmental disabilities (MH/DD)  
68 34 community services fund in accordance with the formula  
68 35 provided in the appropriation made for the MH/DD community  
69 1 services fund for the fiscal year beginning July 1, 2007:  
69 2 ..... \$ 17,727,890  
69 3 NEW SUBSECTION. 4. After applying the applicable  
69 4 statutory distribution formulas to the amounts indicated in  
69 5 subsection 3 for purposes of producing preliminary  
69 6 distribution totals, the department of human services shall  
69 7 apply a withholding factor to adjust an eligible individual  
69 8 county's preliminary distribution total. In order to be  
69 9 eligible for a distribution under this section, a county must  
69 10 be levying seventy percent or more of the maximum amount  
69 11 allowed for the county's mental health, mental retardation,  
69 12 and developmental disabilities services fund under section  
69 13 331.424A for taxes due and payable in the fiscal year for  
69 14 which the distribution is payable. An ending balance  
69 15 percentage for each county shall be determined by expressing  
69 16 the county's ending balance on a modified accrual basis under  
69 17 generally accepted accounting principles for the fiscal year  
69 18 beginning July 1, 2006, in the county's mental health, mental  
69 19 retardation, and developmental disabilities services fund

69 20 created under section 331.424A, as a percentage of the  
69 21 county's gross expenditures from that fund for that fiscal  
69 22 year. If a county borrowed moneys for purposes of providing  
69 23 services from the county's services fund on or before July 1,  
69 24 2006, and the county's services fund ending balance for that  
69 25 fiscal year includes the loan proceeds or an amount designated  
69 26 in the county budget to service the loan for the borrowed  
69 27 moneys, those amounts shall not be considered to be part of  
69 28 the county's ending balance for purposes of calculating an  
69 29 ending balance percentage under this subsection. The  
69 30 withholding factor for a county shall be the following  
69 31 applicable percent:

69 32 a. For an ending balance percentage of less than 5  
69 33 percent, a withholding factor of 0 percent. In addition, a  
69 34 county that is subject to this lettered paragraph shall  
69 35 receive an inflation adjustment equal to 3 percent of the  
70 1 gross expenditures reported for the county's services fund for  
70 2 the fiscal year.

70 3 b. For an ending balance percentage of 5 or more but less  
70 4 than 10 percent, a withholding factor of 0 percent. In  
70 5 addition, a county that is subject to this lettered paragraph  
70 6 shall receive an inflation adjustment equal to 2 percent of  
70 7 the gross expenditures reported for the county's services fund  
70 8 for the fiscal year.

70 9 c. For an ending balance percentage of 10 or more but less  
70 10 than 25 percent, a withholding factor of 25 percent. However,  
70 11 for counties with an ending balance percentage of 10 or more  
70 12 but less than 15 percent, the amount withheld shall be limited  
70 13 to the amount by which the county's ending balance was in  
70 14 excess of the ending balance percentage of 10 percent.

70 15 d. For an ending balance percentage of 25 percent or more,  
70 16 a withholding percentage of 100 percent.

70 17 NEW SUBSECTION. 5. The total withholding amounts applied  
70 18 pursuant to subsection 4 shall be equal to a withholding  
70 19 target amount of \$7,664,576. If the department of human  
70 20 services determines that the amount to be withheld in  
70 21 accordance with subsection 4 is not equal to the target  
70 22 withholding amount, the department shall adjust the  
70 23 withholding factors listed in subsection 4 as necessary to  
70 24 achieve the target withholding amount. However, in making  
70 25 such adjustments to the withholding factors, the department  
70 26 shall strive to minimize changes to the withholding factors  
70 27 for those ending balance percentage ranges that are lower than  
70 28 others and shall not adjust the zero withholding factor or the  
70 29 inflation adjustment percentage specified in subsection 4,  
70 30 paragraph "a".

70 31 NEW SUBSECTION. 6. Notwithstanding sections 222.73 and  
70 32 230.20, the department shall increase the per diem rates  
70 33 billed to counties under those sections for the fiscal year  
70 34 beginning July 1, 2007, to reflect any increase made in this  
70 35 section in the amount appropriated for the allowed growth  
71 1 factor adjustment.

71 2 Sec. 67. Section 331.440A, Code 2007, is repealed.

71 3 DIVISION IV

71 4 HEALTH CARE TRUST FUND APPROPRIATIONS ==

71 5 HEALTH CARE ACTIVITIES

71 6 Sec. 68. DEPARTMENT OF PUBLIC HEALTH. In addition to any  
71 7 other appropriation made in this Act for the purposes  
71 8 designated, there is appropriated from the health care trust  
71 9 fund created in section 453A.35A to the department of public  
71 10 health for the fiscal year beginning July 1, 2007, and ending  
71 11 June 30, 2008, the following amounts, or so much thereof as is  
71 12 necessary, for the purposes designated:

71 13 1. ADDICTIVE DISORDERS

71 14 ..... \$ 9,332,254

71 15 a. Of the funds appropriated in this subsection, \$450,000  
71 16 shall be used for implementation of culturally competent  
71 17 substance abuse treatment pilot projects.

71 18 (1) The department shall utilize the amount allocated in  
71 19 this paragraph to contract for at least three pilot projects  
71 20 to provide culturally competent substance abuse treatment in  
71 21 various areas of the state. Each pilot project shall target a  
71 22 particular ethnic minority population. The populations  
71 23 targeted shall include but are not limited to  
71 24 African-American, Asian, and Latino.

71 25 (2) The pilot project requirements shall provide for  
71 26 documentation or other means to ensure access to the cultural  
71 27 competence approach used by a pilot project so that such  
71 28 approach can be replicated and improved upon in successor  
71 29 programs.

71 30 b. Of the funds appropriated in this subsection,

71 31 \$8,882,254 shall be used for tobacco use prevention,  
71 32 cessation, and treatment. The department shall utilize the  
71 33 funds to provide for a variety of activities related to  
71 34 tobacco use prevention, cessation, and treatment including to  
71 35 support Quitline Iowa, QuitNet cessation counseling and  
72 1 education, grants to school districts and community  
72 2 organizations to support Just Eliminate Lies youth chapters  
72 3 and youth tobacco prevention activities, expansion of the Just  
72 4 Eliminate Lies tobacco prevention media campaign with a focus  
72 5 on rural areas, nicotine replacement therapy, and other  
72 6 prevention and cessation materials and media promotion.

72 7 2. HEALTHY CHILDREN AND FAMILIES  
72 8 ..... \$ 380,000  
72 9 a. Of the funds appropriated in this subsection, \$200,000  
72 10 shall be used as additional funding for the assuring better  
72 11 child health and development initiative II (ABCDII).  
72 12 b. Of the funds appropriated in this subsection, \$180,000  
72 13 shall be used for childhood obesity prevention.

72 14 3. CHRONIC CONDITIONS  
72 15 ..... \$ 1,398,981  
72 16 a. Of the funds appropriated in this subsection, \$473,981  
72 17 shall be used as additional funding for child health specialty  
72 18 clinics.  
72 19 b. Of the funds appropriated in this subsection, \$700,000  
72 20 shall be used for the Iowa consortium for comprehensive cancer  
72 21 control to reduce the burden of cancer in Iowa through  
72 22 prevention, early detection, effective treatment, and ensuring  
72 23 quality of life.  
72 24 c. Of the funds appropriated in this subsection, \$20,000  
72 25 shall be used to implement the task force on postnatal tissue  
72 26 and fluid banking, if enacted by 2007 Iowa Acts, House File  
72 27 337.  
72 28 d. Of the funds appropriated in this subsection, \$5,000  
72 29 shall be used for the hemophilia advisory council pursuant to  
72 30 chapter 135N, if enacted by 2007 Iowa Acts, Senate File 548.  
72 31 e. Of the funds appropriated in this subsection, \$200,000  
72 32 shall be used for cervical and colon cancer screening.

72 33 4. COMMUNITY CAPACITY  
72 34 ..... \$ 3,064,000  
72 35 a. Of the funds appropriated in this subsection, \$75,000  
73 1 shall be used for local public health infrastructure to  
73 2 examine minimum standards for local public health.  
73 3 b. Of the funds appropriated in this subsection, \$250,000  
73 4 shall be used for the mental health professional shortage area  
73 5 program pursuant to section 135.80, if enacted by 2007 Iowa  
73 6 Acts, House File 146.  
73 7 c. Of the funds appropriated in this subsection, \$39,000  
73 8 shall be used for the dental screening of children program  
73 9 pursuant to section 135.17, if enacted by 2007 Iowa Acts,  
73 10 House File 517.  
73 11 d. Of the funds appropriated in this subsection, \$100,000  
73 12 shall be used for distribution to the Iowa=Nebraska primary  
73 13 care association for statewide coordination of the Iowa  
73 14 collaborative safety net provider network.  
73 15 e. Of the funds appropriated in this subsection, \$100,000  
73 16 shall be used for distribution to Iowa family planning network  
73 17 agencies for necessary infrastructure, statewide coordination,  
73 18 provider recruitment, service delivery, and provision of  
73 19 assistance to patients in determining an appropriate medical  
73 20 home.  
73 21 f. Of the funds appropriated in this subsection, \$100,000  
73 22 shall be used for distribution to local boards of health that  
73 23 provide direct services for pilot programs in three counties  
73 24 to assist patients in determining an appropriate medical home.  
73 25 g. Of the funds appropriated in this subsection, \$100,000  
73 26 shall be used for distribution to maternal and child health  
73 27 centers for pilot programs in three counties to assist  
73 28 patients in determining an appropriate medical home.  
73 29 h. Of the funds appropriated in this subsection, \$250,000  
73 30 shall be used for distribution to free clinics for necessary  
73 31 infrastructure, statewide coordination, provider recruitment,  
73 32 service delivery, and provision of assistance to patients in  
73 33 determining an appropriate medical home.  
73 34 i. Of the funds appropriated in this subsection, \$150,000  
73 35 shall be used for distribution to rural health clinics for  
74 1 necessary infrastructure, statewide coordination, provider  
74 2 recruitment, service delivery, and provision of assistance to  
74 3 patients in determining an appropriate medical home.  
74 4 j. Of the funds appropriated in this subsection, \$400,000  
74 5 shall be used for the safety net provider patient access to  
74 6 specialty care initiative.

74 7 k. Of the funds appropriated in this subsection, \$400,000  
74 8 shall be used for the pharmaceutical infrastructure for safety  
74 9 net providers.  
74 10 l. Of the funds appropriated in this subsection, \$450,000  
74 11 shall be used to continue the contract for the program to  
74 12 develop an Iowa collaborative safety net provider network.  
74 13 m. Of the funds appropriated in this subsection, \$650,000  
74 14 shall be used to continue the incubation grant program to  
74 15 community health centers that receive a total score of 85  
74 16 based on the evaluation criteria of the health resources and  
74 17 services administration of the United States department of  
74 18 health and human services.  
74 19 n. The university of Iowa hospitals and clinics under the  
74 20 control of the state board of regents shall not receive  
74 21 indirect costs from the funds allocated in paragraph "l" or  
74 22 "m".

74 23 Sec. 69. DEPARTMENT OF HUMAN SERVICES. In addition to any  
74 24 other appropriation made in this Act for the purposes  
74 25 designated, there is appropriated from the health care trust  
74 26 fund created in section 453A.35A to the department of human  
74 27 services for the fiscal year beginning July 1, 2007, and  
74 28 ending June 30, 2008, the following amounts, or so much  
74 29 thereof as is necessary, for the purposes designated:

74 30 1. MEDICAL ASSISTANCE  
74 31 ..... \$ 97,003,096

74 32 a. Of the funds appropriated in this subsection,  
74 33 \$77,965,357 shall be used for increased costs for services and  
74 34 eligibles including but not limited to the remedial services  
74 35 program; intermediate care facilities for persons with mental  
75 1 retardation (ICFMR); state cases; ambulance, clinic, and  
75 2 hospice services; dental services; medical supplies and  
75 3 equipment; targeted case management; medical related=provider  
75 4 services; mental health-related optional services; and home  
75 5 and community-based services inflation.

75 6 b. Of the funds appropriated in this subsection,  
75 7 \$9,337,435 shall be used to expand access to medical  
75 8 assistance for parents by increasing the earned income  
75 9 disregard for parents in the family investment program.

75 10 c. Of the funds appropriated in this subsection,  
75 11 \$1,495,405 shall be used to reduce the waiting list for the  
75 12 children's mental health home and community-based services  
75 13 waiver.

75 14 d. Of the funds appropriated in this subsection,  
75 15 \$1,360,301 shall be used for the Medicaid for independent  
75 16 young adults (MIYA) program.

75 17 e. Of the funds appropriated in this subsection,  
75 18 \$1,001,000 shall be used for provision of habilitation  
75 19 services.

75 20 f. Of the funds appropriated in this subsection,  
75 21 \$4,361,598 shall be used to increase the enrollment of medical  
75 22 assistance=eligible children in the medical assistance  
75 23 program.

75 24 g. Of the funds appropriated in this subsection,  
75 25 \$1,100,000 shall be used for the money follows the person  
75 26 demonstration project to assist individuals in utilizing or  
75 27 transitioning to community services options.

75 28 h. Of the funds appropriated in this subsection, \$250,000  
75 29 shall be used as additional funding for the grant to the Iowa  
75 30 healthcare collaborative as described in section 135.40.

75 31 i. Of the funds appropriated in this subsection, \$132,000  
75 32 shall be used for provisions relating to medical assistance  
75 33 income trusts pursuant to the amendment to section 633C.3, if  
75 34 enacted by 2007 Iowa Acts, House File 397.

75 35 2. STATE CHILDREN'S HEALTH INSURANCE PROGRAM  
76 1 ..... \$ 8,329,570

76 2 a. Of the funds appropriated in this subsection,  
76 3 \$4,697,363 shall be used for increased enrollment in the  
76 4 program.

76 5 b. Of the funds appropriated in this subsection, \$135,300  
76 6 shall be used to enhance outreach efforts.

76 7 c. Of the funds appropriated in this subsection,  
76 8 \$3,496,907 shall be used for increased enrollment for eligible  
76 9 children in the Medicaid expansion program.

76 10 3. MH/MR/DD ALLOWED GROWTH FACTOR  
76 11 ..... \$ 7,592,099

76 12 The funds appropriated in this subsection shall be credited  
76 13 to the property tax relief fund created in section 426B.1.

76 14 Sec. 70. LEGISLATIVE SERVICES AGENCY == INTERIM COMMISSION  
76 15 ON AFFORDABLE HEALTH CARE PLANS FOR SMALL BUSINESSES AND  
76 16 FAMILIES APPROPRIATION. There is appropriated from the health  
76 17 care trust fund created in section 453A.35A to the legislative

76 18 services agency for the interim commission on affordable  
76 19 health care plans for small businesses and families if enacted  
76 20 by 2007 Iowa Acts, Senate File 367, for the fiscal year  
76 21 beginning July 1, 2007, and ending June 30, 2008, the  
76 22 following amount, or so much thereof as is necessary, for the  
76 23 purpose designated:

76 24 For carrying out the duties of the commission and the  
76 25 health care data research advisory council:  
76 26 ..... \$ 500,000

76 27 Of the amount appropriated in this section, a portion shall  
76 28 be used for the health and long-term care workforce review to  
76 29 be conducted by the department of public health as described  
76 30 in this Act.

76 31 Sec. 71. Section 96.11, subsection 6, Code 2007, is  
76 32 amended by adding the following new paragraph:

76 33 NEW PARAGRAPH. dd. Notwithstanding any provision of this  
76 34 subsection to the contrary, and subject to conditions as the  
76 35 department by rule prescribes, the department shall provide to  
77 1 the department of human services the health care coverage and  
77 2 dependent health care coverage information collected pursuant  
77 3 to section 96.52. The rules adopted shall also provide that  
77 4 notwithstanding any provision of this subsection to the  
77 5 contrary, the department of human services may release the  
77 6 information obtained from the department for public inspection  
77 7 only in aggregate form specifying the industry and individual  
77 8 employer.

77 9 Sec. 72. NEW SECTION. 96.52 EMPLOYER'S CONTRIBUTION AND  
77 10 PAYROLL REPORT == INFORMATION SHARING WITH DEPARTMENT OF HUMAN  
77 11 SERVICES.

77 12 The department shall adopt rules, pursuant to chapter 17A,  
77 13 to require that the employer's contribution and payroll report  
77 14 form include the reporting by the employer of information  
77 15 regarding whether, for the individual employee, the employer  
77 16 has health care coverage and dependent health care coverage  
77 17 available, the appropriate date on which the employee may  
77 18 qualify for coverage, and whether the employee and any  
77 19 dependent is enrolled. The department shall adopt rules in  
77 20 consultation with the department of human services to provide  
77 21 for the sharing of this information for the sole purpose of  
77 22 determining the number of employed individuals or their  
77 23 dependents who are recipients of medical assistance, hawk=i,  
77 24 and the IowaCare program and the cost of the care provided to  
77 25 these employed individuals to the state.

77 26 Sec. 73. Section 135.24, subsection 2, paragraphs a and b,  
77 27 Code 2007, are amended to read as follows:

77 28 a. Procedures for expedited registration of health care  
77 29 providers deemed qualified by the board of medical examiners,  
77 30 the board of physician assistant examiners, the board of  
77 31 dental examiners, the board of nursing, the board of  
77 32 chiropractic examiners, the board of psychology examiners, the  
77 33 board of social work examiners, the board of behavioral  
77 34 science examiners, the board of pharmacy examiners, the board  
77 35 of optometry examiners, the board of podiatry examiners, the  
78 1 board of physical and occupational therapy examiners, the  
78 2 state board for respiratory care, and the Iowa department of  
78 3 public health, as applicable. An expedited registration shall  
78 4 be completed within fifteen days of application of the health  
78 5 care provider.

78 6 b. Procedures for expedited registration of free clinics.  
78 7 An expedited registration shall be completed within fifteen  
78 8 days of application of the free clinic.

78 9 Sec. 74. Section 135.24, subsection 3, unnumbered  
78 10 paragraph 1, Code 2007, is amended to read as follows:

78 11 A health care provider providing free care under this  
78 12 section shall be considered an employee of the state under  
78 13 chapter 669, ~~and~~ shall be afforded protection as an employee  
78 14 of the state under section 669.21, ~~and shall not be subject to~~  
78 15 payment of claims arising out of the free care provided under  
78 16 this section through the health care provider's own  
78 17 professional liability insurance coverage, provided that the  
78 18 health care provider has done all of the following:

78 19 Sec. 75. NEW SECTION. 135.153 IOWA COLLABORATIVE SAFETY  
78 20 NET PROVIDER NETWORK ESTABLISHED.

78 21 1. The department shall establish an Iowa collaborative  
78 22 safety net provider network that includes community health  
78 23 centers, rural health clinics, free clinics, maternal and  
78 24 child health centers, the expansion population provider  
78 25 network as described in chapter 249J, local boards of health  
78 26 that provide direct services, Iowa family planning network  
78 27 agencies, child health specialty clinics, and other safety net  
78 28 providers. The network shall be a continuation of the network

78 29 established pursuant to 2005 Iowa Acts, chapter 175, section  
78 30 2, subsection 12. The network shall include all of the  
78 31 following:

78 32 a. An Iowa safety net provider advisory group consisting  
78 33 of representatives of community health centers, rural health  
78 34 clinics, free clinics, maternal and child health centers, the  
78 35 expansion population provider network as described in chapter  
79 1 249J, local boards of health that provide direct services,  
79 2 Iowa family planning network agencies, child health specialty  
79 3 clinics, other safety net providers, patients, and other  
79 4 interested parties.

79 5 b. A planning process to logically and systematically  
79 6 implement the Iowa collaborative safety net provider network.

79 7 c. A database of all community health centers, rural  
79 8 health clinics, free clinics, maternal and child health  
79 9 centers, the expansion population provider network as  
79 10 described in chapter 249J, local boards of health that provide  
79 11 direct services, Iowa family planning network agencies, child  
79 12 health specialty clinics, and other safety net providers. The  
79 13 data collected shall include the demographics and needs of the  
79 14 vulnerable populations served, current provider capacity, and  
79 15 the resources and needs of the participating safety net  
79 16 providers.

79 17 d. Network initiatives to, at a minimum, improve quality,  
79 18 improve efficiency, reduce errors, and provide clinical  
79 19 communication between providers. The network initiatives  
79 20 shall include but are not limited to activities that address  
79 21 all of the following:

- 79 22 (1) Training.
- 79 23 (2) Information technology.
- 79 24 (3) Financial resource development.
- 79 25 (4) A referral system for ambulatory care.
- 79 26 (5) A referral system for specialty care.
- 79 27 (6) Pharmaceuticals.
- 79 28 (7) Recruitment of health professionals.

79 29 2. The network shall form a governing group which includes  
79 30 two individuals each representing community health centers,  
79 31 rural health clinics, free clinics, maternal and child health  
79 32 centers, the expansion population provider network as  
79 33 described in chapter 249J, local boards of health that provide  
79 34 direct services, the state board of health, Iowa family  
79 35 planning network agencies, child health specialty clinics, and  
80 1 other safety net providers.

80 2 3. The department shall provide for evaluation of the  
80 3 network and its impact on the medically underserved.

80 4 Sec. 76. Section 249J.8, subsection 1, Code 2007, is  
80 5 amended to read as follows:

80 6 1. ~~Beginning July 1, 2005, each~~ Each expansion population  
80 7 member whose family income ~~equals or~~ exceeds one hundred  
80 8 percent of the federal poverty level as defined by the most  
80 9 recently revised poverty income guidelines published by the  
80 10 United States department of health and human services shall  
80 11 pay a monthly premium not to exceed one-twelfth of five  
80 12 percent of the member's annual family income, ~~and each.~~ Each  
80 13 expansion population member whose family income is equal to or  
80 14 less than one hundred percent of the federal poverty level as  
80 15 defined by the most recently revised poverty income guidelines  
80 16 published by the United States department of health and human  
80 17 services shall ~~pay not be subject to payment of a monthly~~  
80 18 ~~premium not to exceed one-twelfth of two percent of the~~  
~~80 19 member's annual family income.~~ All premiums shall be paid on  
80 20 the last day of the month of coverage. The department shall  
80 21 deduct the amount of any monthly premiums paid by an expansion  
80 22 population member for benefits under the healthy and well kids  
80 23 in Iowa program when computing the amount of monthly premiums  
80 24 owed under this subsection. An expansion population member  
80 25 shall pay the monthly premium during the entire period of the  
80 26 member's enrollment. Regardless of the length of enrollment,  
80 27 the member is subject to payment of the premium for a minimum  
80 28 of four consecutive months. However, an expansion population  
80 29 member who complies with the requirement of payment of the  
80 30 premium for a minimum of four consecutive months during a  
80 31 consecutive twelve-month period of enrollment shall be deemed  
80 32 to have complied with this requirement for the subsequent  
80 33 consecutive twelve-month period of enrollment and shall only  
80 34 be subject to payment of the monthly premium on a  
80 35 month-by-month basis. Timely payment of premiums, including  
81 1 any arrearages accrued from prior enrollment, is a condition  
81 2 of receiving any expansion population services. Premiums  
81 3 collected under this subsection shall be deposited in the  
81 4 premiums subaccount of the account for health care

81 5 transformation created pursuant to section 249J.23. An  
81 6 expansion population member shall also pay the same copayments  
81 7 required of other adult recipients of medical assistance.  
81 8 Sec. 77. Section 283A.2, Code 2007, is amended by adding  
81 9 the following new subsection:  
81 10 NEW SUBSECTION. 3. Each school district that operates or  
81 11 provides for a school breakfast or lunch program shall provide  
81 12 for the forwarding of information from the applications for  
81 13 the school breakfast or lunch program, for which federal  
81 14 funding is provided, to identify children for enrollment in  
81 15 the medical assistance program pursuant to chapter 249A or the  
81 16 healthy and well kids in Iowa program pursuant to chapter 514I  
81 17 to the department of human services.  
81 18 Sec. 78. Section 514I.5, subsection 8, paragraph e, Code  
81 19 2007, is amended by adding the following new subparagraph:  
81 20 NEW SUBPARAGRAPH. (15) The use of bright futures for  
81 21 infants, children, and adolescents program as developed by the  
81 22 federal maternal and child health bureau and the American  
81 23 academy of pediatrics guidelines for well-child care.  
81 24 Sec. 79. IOWACARE PROVIDER NETWORK EXPANSION. The  
81 25 director of human services shall aggressively pursue options  
81 26 to expand the expansion population provider network for the  
81 27 IowaCare program pursuant to chapter 249J. The department may  
81 28 expand the expansion population provider network if sufficient  
81 29 unencumbered certified local matching funds are available to  
81 30 cover the state share of the costs of services provided to the  
81 31 expansion population or if an alternative funding source is  
81 32 identified to cover the state share.  
81 33 Sec. 80. ELECTRONIC PRESCRIBING. The department of public  
81 34 health, in cooperation with the board of pharmacy examiners,  
81 35 the Iowa pharmacy association, the Iowa medical society, the  
82 1 Iowa osteopathic medical association, the Iowa hospital  
82 2 association, and other interested entities, shall develop a  
82 3 plan to implement the required use of electronic prescribing  
82 4 by all practitioners by January 1, 2010. The department shall  
82 5 submit the completed plan to the general assembly on or before  
82 6 January 1, 2008.  
82 7 Sec. 81. PHARMACEUTICAL INFRASTRUCTURE FOR SAFETY NET  
82 8 PROVIDERS. The Iowa collaborative safety net provider network  
82 9 established pursuant to section 135.153 shall develop a  
82 10 pharmaceutical infrastructure for safety net providers. The  
82 11 infrastructure shall include all of the following elements:  
82 12 1. Identification of the most efficacious drug therapies,  
82 13 a strategy to distribute pharmaceuticals to safety net  
82 14 providers for provision to patients at the point of care, and  
82 15 increased access to pharmaceutical manufacturer assistance  
82 16 programs. Identification of drug therapies shall be made  
82 17 through a community-driven effort with clinical representation  
82 18 from safety net providers and pharmacists who have historical  
82 19 investment and expertise in providing care to safety net  
82 20 provider patients. The effort shall include creating a list  
82 21 of pharmaceuticals that are affordable to safety net provider  
82 22 patients, purchasing pharmaceuticals for safety net provider  
82 23 patients, identifying therapies for an expanded list of  
82 24 pharmaceuticals, and identifying therapies most appropriate to  
82 25 provide to safety net provider patients through pharmaceutical  
82 26 manufacturer assistance programs.  
82 27 2. An educational effort for safety net provider patients,  
82 28 medical providers, and pharmacists regarding the drug  
82 29 therapies and access alternatives identified pursuant to  
82 30 subsection 1.  
82 31 3. Identification of a pharmacy benefits manager to  
82 32 provide low-cost patient access to therapies identified in the  
82 33 expanded drug lists.  
82 34 4. Expanded use of collaborative practice agreements  
82 35 between medical providers and pharmacists to most efficiently  
83 1 utilize their expertise.  
83 2 5. A medication reconciliation program to ensure that each  
83 3 patient has a complete record of the patient's medication  
83 4 history available.  
83 5 Sec. 82. SAFETY NET PROVIDER PATIENTS == ACCESS TO  
83 6 SPECIALTY CARE.  
83 7 1. The Iowa collaborative safety net provider network  
83 8 established in section 135.153 shall implement a specialty  
83 9 care initiative in three communities in the state to determine  
83 10 various methods of addressing the issue of specialty care  
83 11 access in underserved areas of the state. The communities  
83 12 selected shall develop collaborative partnerships between  
83 13 hospitals, specialists, primary care providers, community  
83 14 partners, human services providers, and others involved in  
83 15 providing health care.

83 16 2. The initiative shall include an evaluation component to  
83 17 determine the value of services provided and participating  
83 18 communities shall participate in sharing data and findings  
83 19 resulting from the initiative.

83 20 3. Based upon the results of the initiative, the network  
83 21 shall build an infrastructure for improved specialty care  
83 22 access throughout the state.

83 23 Sec. 83. HEALTH AND LONG-TERM-CARE WORKFORCE REVIEW AND  
83 24 RECOMMENDATIONS.

83 25 1. The department of public health, in collaboration with  
83 26 the department of human services, the department of  
83 27 inspections and appeals, the department of workforce  
83 28 development, and other state agencies involved with relevant  
83 29 health care and workforce issues, shall conduct a  
83 30 comprehensive review of Iowa's health and long-term care  
83 31 workforce. The review shall provide for all of the following:

83 32 a. Raising of public awareness of the imminent health and  
83 33 long-term-care workforce shortage, based upon the rapidly  
83 34 changing demographics in the state.

83 35 b. A description of the current health and long-term-care  
84 1 workforce, including documenting the shortages and challenges  
84 2 that exist throughout the state and analyzing the impact of  
84 3 these shortages on access to care, the quality of care  
84 4 received including outcomes, and the cost of care.

84 5 c. A projection of the health and long-term-care workforce  
84 6 necessary to provide comprehensive, accessible, quality, and  
84 7 cost-effective care during the next twenty-five years.

84 8 d. Construction of a workforce model to provide the  
84 9 necessary or desirable health and long-term-care workforce  
84 10 described in paragraph "c".

84 11 2. The department of public health and other agencies  
84 12 collaborating in the review shall actively elicit input from  
84 13 persons involved or interested in the delivery of health and  
84 14 long-term-care services, including but not limited to members  
84 15 of the health and long-term-care workforce and consumers of  
84 16 health and long-term care.

84 17 3. The department shall coordinate the review with other  
84 18 initiatives such as PRIMECARRE and the Iowa collaborative  
84 19 safety net provider network recruitment effort.

84 20 4. The department of public health shall submit the  
84 21 findings and recommendations of the review for submission to  
84 22 the general assembly and the governor on or before January 15,  
84 23 2008. The recommendations shall include specific action steps  
84 24 to assist the state in meeting the health and long-term-care  
84 25 workforce shortages and challenges. The action steps shall  
84 26 include but are not limited to all of the following:

84 27 a. Strategies such as enhanced pay and benefits, expanded  
84 28 initial and ongoing training, flexible work scheduling,  
84 29 reduced workload volume, and utilizing a team-based approach  
84 30 to providing care to both recruit and retain the necessary  
84 31 health and long-term-care workforce.

84 32 b. Utilization of innovative measures, including but not  
84 33 limited to telemedicine and other emerging technologies, and  
84 34 scope of practice changes that allow modifications in roles  
84 35 and responsibilities in various health and long-term-care  
85 1 settings.

#### DIVISION V

#### CHILD WELFARE SERVICES

85 4 Sec. 84. Section 232.52, subsection 6, unnumbered  
85 5 paragraph 1, Code 2007, is amended to read as follows:

85 6 When the court orders the transfer of legal custody of a  
85 7 child pursuant to subsection 2, paragraph "d", "e", or "f",  
85 8 the order shall state that reasonable efforts as defined in  
85 9 section 232.57 have been made. If deemed appropriate by the  
85 10 court, the order may include a determination that continuation  
85 11 of the child in the child's home is contrary to the child's  
85 12 welfare. The inclusion of such a determination shall not  
85 13 under any circumstances be deemed a prerequisite for entering  
85 14 an order pursuant to this section. However, the inclusion of  
85 15 such a determination, supported by the record, may be used to  
85 16 assist the department in obtaining federal funding for the  
85 17 child's placement. If such a determination is included in the  
85 18 order, unless the court makes a determination that further  
85 19 reasonable efforts are not required, reasonable efforts shall  
85 20 be made to prevent permanent removal of a child from the  
85 21 child's home and to encourage reunification of the child with  
85 22 the child's parents and family. The reasonable efforts may  
85 23 include but are not limited to early intervention and  
85 24 follow-up programs implemented pursuant to section 232.191.

85 25 Sec. 85. Section 232.102, subsection 5, paragraph b, Code  
85 26 2007, is amended to read as follows:

85 27 b. In order to transfer custody of the child under this  
85 28 subsection, the court must make a determination that  
85 29 continuation of the child in the child's home would be  
85 30 contrary to the welfare of the child, and shall identify the  
85 31 reasonable efforts that have been made. The court's  
85 32 determination regarding continuation of the child in the  
85 33 child's home, and regarding reasonable efforts, including  
85 34 those made to prevent removal and those made to finalize any  
85 35 permanency plan in effect, as well as any determination by the  
86 1 court that reasonable efforts are not required, must be made  
86 2 on a case-by-case basis. The grounds for each determination  
86 3 must be explicitly documented and stated in the court order.  
86 4 However, preserving the safety of the child is the paramount  
86 5 consideration. If imminent danger to the child's life or  
86 6 health exists at the time of the court's consideration, the  
86 7 determinations otherwise required under this paragraph shall  
86 8 not be a prerequisite for an order for removal of the child.  
86 9 If the court transfers custody of the child, unless the court  
86 10 waives the requirement for making reasonable efforts or  
86 11 otherwise makes a determination that reasonable efforts are  
86 12 not required, reasonable efforts shall be made to make it  
86 13 possible for the child to safely return to the family's home.

86 14 Sec. 86. Section 232.143, subsection 1, Code 2007, is  
86 15 amended to read as follows:

86 16 1. a. A statewide expenditure target for children in  
86 17 group foster care placements in a fiscal year, which  
86 18 placements are a charge upon or are paid for by the state,  
86 19 shall be established annually in an appropriation bill by the  
86 20 general assembly. Representatives of the department and  
86 21 juvenile court services shall jointly develop a formula for  
86 22 allocating a portion of the statewide expenditure target  
86 23 established by the general assembly to each of the  
86 24 department's service areas. The formula shall be based upon  
86 25 the service area's proportion of the state population of  
86 26 children and of the statewide usage of group foster care in  
86 27 the previous five completed fiscal years and upon other  
86 28 indicators of need. The expenditure amount determined in  
86 29 accordance with the formula shall be the group foster care  
86 30 budget target for that service area.

86 31 b. A service area may exceed the service area's budget  
86 32 target for group foster care by not more than five percent in  
86 33 a fiscal year, provided the overall funding allocated by the  
86 34 department for all child welfare services in the service area  
86 35 is not exceeded.

87 1 c. If all of the following circumstances are applicable, a  
87 2 service area may temporarily exceed the service area's budget  
87 3 target as necessary for placement of a child in group foster  
87 4 care:

87 5 (1) The child is thirteen years of age or younger.

87 6 (2) The court has entered a dispositional order for  
87 7 placement of the child in group foster care.

87 8 (3) The child is placed in a juvenile detention facility  
87 9 awaiting placement in group foster care.

87 10 d. If a child is placed pursuant to paragraph "c", causing  
87 11 a service area to temporarily exceed the service area's budget  
87 12 target, the department and juvenile court services shall  
87 13 examine the cases of the children placed in group foster care  
87 14 and counted in the service area's budget target at the time of  
87 15 the placement pursuant to paragraph "c". If the examination  
87 16 indicates it may be appropriate to terminate the placement for  
87 17 any of the cases, the department and juvenile court services  
87 18 shall initiate action to set a dispositional review hearing  
87 19 under this chapter for such cases. In such a dispositional  
87 20 review hearing, the court shall determine whether needed  
87 21 aftercare services are available following termination of the  
87 22 placement and whether termination of the placement is in the  
87 23 best interests of the child and the community. During the  
87 24 period of time a service area's budget target is exceeded  
87 25 under paragraph "c", a juvenile court services office for a  
87 26 judicial district located within that service area shall  
87 27 notify the department's service area manager within one  
87 28 business day of any of the following occurring in the service  
87 29 area:

87 30 (1) A new dispositional order for placement of a child in  
87 31 group foster care has been entered.

87 32 (2) A change in the placement of a child who was placed in  
87 33 group foster care has been made.

87 34 (3) A child placed in group foster care has been  
87 35 discharged from that placement.

88 1 Sec. 87. GROUP FOSTER CARE WAITING LIST. On or before  
88 2 December 15, 2007, the department of human services shall

88 3 report to the general assembly providing detailed information  
88 4 concerning the children who were on a waiting list for group  
88 5 foster care services during the period covered by the report.  
88 6 The information shall include but is not limited to the number  
88 7 and status of children who were on a waiting list, the length  
88 8 of time the children spent on a waiting list, alternative  
88 9 placements while the children were on a waiting list, age and  
88 10 gender of the children, distribution of responsibility between  
88 11 the department and juvenile court services, and the projected  
88 12 funding, services, and programs required to appropriately  
88 13 address the needs of the children on a waiting list or to  
88 14 otherwise eliminate the need for a waiting list.

88 15 EXPLANATION

88 16 This bill relates to and makes appropriations for health  
88 17 and human services for FY 2007=2008 to the department of  
88 18 veterans affairs, the Iowa veterans home, the department of  
88 19 elder affairs, the department of public health, Iowa finance  
88 20 authority, state board of regents, department of inspections  
88 21 and appeals, and the department of human services.

88 22 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS. This division  
88 23 appropriates funding from the general fund of the state for  
88 24 the department of elder affairs, the department of public  
88 25 health, and the department of veterans affairs.

88 26 The division appropriates funds from the gambling treatment  
88 27 fund in lieu of the standing appropriation in Code section  
88 28 135.150 for addictive disorders and provides for use of the  
88 29 funds remaining in the fund.

88 30 The division appropriates funding from the general fund of  
88 31 the state and the federal temporary assistance for needy  
88 32 families block grant to the department of human services. The  
88 33 allocation for the family development and self-sufficiency  
88 34 grant program is made directly to the department of human  
88 35 rights.

89 1 Code section 239B.17, providing for creation of the  
89 2 promoting independence and self-sufficiency through employment  
89 3 job opportunities and basic skills or PROMISE JOBS program, is  
89 4 amended. Current law provides the department of human  
89 5 services with authority to delegate, by mutual agreement, any  
89 6 of the department's powers and duties to the departments of  
89 7 workforce development or economic development. The bill  
89 8 replaces this authority with an authorization to contract for  
89 9 the provision of PROMISE JOBS services with the other two  
89 10 departments or with another appropriate entity.

89 11 The bill amends Code section 249A.3 to add to the listing  
89 12 of individuals eligible for optional medical assistance  
89 13 (Medicaid) women eligible for family planning services under a  
89 14 federally approved demonstration waiver.

89 15 Code section 252B.5, relating to services of the child  
89 16 support recovery unit of the department of human services, is  
89 17 amended to authorize the charging of a new \$25 fee. The fee  
89 18 is considered to be a repayment receipt and is appropriated to  
89 19 the department for the child support recovery unit. A  
89 20 separate section authorizes the department to adopt emergency  
89 21 rules to implement the provision during FY 2007=2008.

89 22 All or a portion of the appropriations made to the Iowa  
89 23 veterans home and to the department of human services for FY  
89 24 2006=2007 that remain unexpended at the close of the fiscal  
89 25 year are carried forward to the succeeding fiscal year. The  
89 26 following appropriations are addressed involving the  
89 27 department of human services: federal child care and  
89 28 development block grant, medical assistance (Medicaid)  
89 29 program, state supplementary assistance, state child care  
89 30 assistance, adoption subsidy, the state resource centers,  
89 31 mental health, mental retardation, and developmental  
89 32 disabilities state cases, and field operations. These  
89 33 provisions take effect upon enactment. The legislative  
89 34 council is requested to authorize an interim study committee  
89 35 made up of the membership of the joint appropriations

90 1 subcommittee on health and human services to make on-site  
90 2 observations of the services under the subcommittee's purview.

90 3 SENIOR LIVING TRUST FUND, PHARMACEUTICAL SETTLEMENT  
90 4 ACCOUNT, IOWACARE ACCOUNT, AND HEALTH CARE TRANSFORMATION  
90 5 ACCOUNT. This division makes appropriations for FY 2007=2008  
90 6 from the senior living trust fund to the department of elder  
90 7 affairs, the department of human services, the department of  
90 8 inspections and appeals, and the Iowa finance authority. The  
90 9 bill provides an appropriation from the senior living trust  
90 10 fund for provision of dementia-specific care education to  
90 11 direct care workers and other providers of long-term care.

90 12 The division makes an appropriation from the pharmaceutical  
90 13 settlement account to the department of human services to

90 14 supplement the medical contracts appropriation.  
90 15 The division makes appropriations to the state board of  
90 16 regents for distribution to the university of Iowa hospitals  
90 17 and clinics, and to the department of human services for  
90 18 distribution to a publicly owned acute care teaching hospital  
90 19 in a county with a population over 350,000, and to the state  
90 20 mental health institutes for purposes related to the IowaCare  
90 21 program and indigent care. The division also makes an  
90 22 appropriation to the department of human services from the  
90 23 health care transformation account for various health care  
90 24 reform initiatives.

90 25 The bill includes a supplemental appropriation for FY  
90 26 2006=2007 from the IowaCare account for the university of Iowa  
90 27 hospitals and clinics.

90 28 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY  
90 29 2007=2008. This division revises the distribution provisions  
90 30 for the allowed growth factor adjustment for  
90 31 county-administered MH/MR/DD services. Under current law and  
90 32 practice in recent years, there are three primary formula  
90 33 provisions used to calculate the amount provided to a county:  
90 34 "regular" allowed growth under Code section 331.438, "per  
90 35 capita" allowed growth under Code section 426B.5, subsection  
91 1 1, and MH/DD community services fund under Code section  
91 2 225C.7. In addition, there has been an allocation made for  
91 3 risk pool funding under Code section 426B.5, subsection 2.  
91 4 Code section 225C.7, relating to the MH/DD community  
91 5 services fund, is amended to provide that if the allocation  
91 6 methodology for distribution of moneys from the fund includes  
91 7 a population factor, the most recent population estimates  
91 8 issued by the United States bureau of the census are to be  
91 9 applied.

91 10 The bill combines the regular and per capita allowed growth  
91 11 provisions by renaming the per capita expenditure target pool  
91 12 under Code section 426B.5 as the allowed growth funding pool.  
91 13 The incentive pool established pursuant to 2006 Iowa Acts,  
91 14 chapter 1115 (HF 2780) is not addressed by the bill. These  
91 15 funding pools are all part of the property tax relief fund.

91 16 The first \$12 million in the allowed growth funding pool is  
91 17 allocated based upon a county's proportion of the general  
91 18 population of all counties in the state, just as is done for  
91 19 regular allowed growth in current law.

91 20 To be eligible for the remainder of the allowed growth  
91 21 funding pool moneys, a county must levy the maximum amount  
91 22 allowed for the county's services fund for the year of  
91 23 distribution, the county must have met the requirement for  
91 24 reporting of county expenditures for the previous fiscal year  
91 25 by December 1, and the county's services fund ending balance  
91 26 for the previous fiscal year must be less than 25 percent of  
91 27 the county's gross expenditures from the fund for that fiscal  
91 28 year. Funds are to be distributed based upon a county's  
91 29 general population relative to the combined general population  
91 30 of the eligible counties. The most recent population  
91 31 estimates issued by the United States bureau of the census  
91 32 shall be applied in determining population for purposes of  
91 33 Code section 426B.5. The department of human services is  
91 34 required to authorize issuance of the warrants in January.

91 35 The allowed growth distribution provisions under Code  
92 1 section 331.438 and the per capita expenditure definition in  
92 2 Code section 331.438, subsection 1, paragraph "b", are  
92 3 stricken. Code section 331.440A, relating to an obsolete  
92 4 MH/MR/DD services pilot, is repealed.

92 5 The division also provides mental health, mental  
92 6 retardation, developmental disabilities, and brain injury  
92 7 (MH/MR/DD/BI) services allowed growth funding payments for FY  
92 8 2007=2008.

92 9 The division provides for distribution of the services  
92 10 funding previously appropriated for FY 2007=2008, increases  
92 11 the amount of the appropriation, and shifts an allocation from  
92 12 the risk pool to the per capita expenditure target pool.

92 13 HEALTH CARE TRUST FUND. This division includes provisions  
92 14 relating to health care and makes appropriations from the  
92 15 health care trust fund.

92 16 PUBLIC HEALTH APPROPRIATIONS. Appropriations are made to  
92 17 the department of public health for addictive disorders,  
92 18 healthy children and families, chronic conditions, community  
92 19 capacity, and environmental hazards.

92 20 Under the addictive disorders appropriation, funding is  
92 21 allocated for the implementation of culturally competent  
92 22 substance abuse treatment pilot projects and for tobacco use  
92 23 prevention, cessation, and treatment.

92 24 Under the healthy children and families appropriation,

92 25 additional funding is allocated for the assuring better child  
92 26 health and development initiative II (ABCDII) and for  
92 27 childhood obesity prevention.

92 28 Under the chronic conditions appropriation, funding is  
92 29 allocated for child health specialty clinics, for the Iowa  
92 30 consortium for comprehensive cancer control, for the postnatal  
92 31 tissue and fluid banking task force if enacted, for the  
92 32 hemophilia advisory council if enacted, and for cervical and  
92 33 colon cancer screening.

92 34 Under the community capacity appropriation, funding is  
92 35 allocated for local public health infrastructure; for the  
93 1 mental health professional shortage area program if enacted;  
93 2 for dental screening of children if enacted; for the  
93 3 Iowa-Nebraska primary care association for statewide  
93 4 coordination of the Iowa collaborative safety net provider  
93 5 network; for the Iowa family planning network for  
93 6 infrastructure, coordination, provider recruitment, and  
93 7 service delivery to assist patients in determining a medical  
93 8 home; for local boards of health for pilot programs in three  
93 9 counties to assist patients in determining a medical home; for  
93 10 maternal and child health centers for pilot programs in three  
93 11 counties to assist patients in determining a medical home; for  
93 12 free clinics for infrastructure, coordination, provider  
93 13 recruitment, and service delivery to assist patients in  
93 14 determining a medical home; for rural clinics; for the safety  
93 15 net provider patient access to specialty care initiative; for  
93 16 pharmaceutical infrastructure for safety net providers; to  
93 17 continue the contract for the program to develop an Iowa  
93 18 collaborative safety net provider network; and to continue the  
93 19 incubation grant program to community health centers.

93 20 DEPARTMENT OF HUMAN SERVICES APPROPRIATIONS. Funds are  
93 21 appropriated to the department of human services for medical  
93 22 assistance, the state children's health insurance program, and  
93 23 mental health, mental retardation, and developmental  
93 24 disability (MH/MR/DD) services allowed growth.

93 25 Under the appropriation for the medical assistance program,  
93 26 funding is allocated for increased services costs; to expand  
93 27 access to medical assistance for parents by increasing the  
93 28 earned income disregard for parents in the family investment  
93 29 program; to reduce the waiting list for the children's mental  
93 30 health home and community-based services waiver; for the  
93 31 Medicaid for independent young adults (MIYA) program; for  
93 32 habilitation services; to increase the enrollment of  
93 33 Medicaid-eligible children in the medical assistance program;  
93 34 for the money follows the person demonstration project; for a  
93 35 grant to the Iowa healthcare collaborative; and to administer  
94 1 the provisions related to the medical assistance income trusts  
94 2 if enacted.

94 3 Under the appropriation for the state children's health  
94 4 insurance program, funding is allocated for increased  
94 5 enrollment in the program, to enhance outreach efforts, and  
94 6 for increased enrollment for eligible children in the Medicaid  
94 7 expansion program.

94 8 The appropriation for MH/MR/DD allowed growth is to be  
94 9 credited to the property tax relief fund from which it is  
94 10 appropriated in another part of the bill.

94 11 INTERIM COMMISSION ON AFFORDABLE HEALTH CARE. Funds are  
94 12 appropriated to the legislative services agency for the  
94 13 commission to carry out the commission's duties and those of  
94 14 the health care data research advisory council, if enacted by  
94 15 2007 Iowa Acts, Senate File 367.

94 16 The division provides statutory and other provisions  
94 17 related to health care.

94 18 HEALTH CARE COVERAGE REPORTING. The department of  
94 19 workforce development is directed to adopt rules to require  
94 20 that the employer's contribution and payroll report form  
94 21 include the reporting by the employer of information regarding  
94 22 whether, for the individual employee, the employer has health  
94 23 care coverage and dependent care coverage available, the  
94 24 appropriate date on which the employee may qualify, and  
94 25 whether the employee and any dependent is enrolled. The rules  
94 26 are also to provide for release by the department of human  
94 27 services of the information obtained only in aggregate from  
94 28 specifying the industry and individual employer. The  
94 29 department of workforce development is directed to adopt rules  
94 30 in consultation with the department of human services to  
94 31 provide for the sharing of this information for the sole  
94 32 purpose of determining the number of employed individuals who  
94 33 are recipients of medical assistance (Medicaid), hawk=i, and  
94 34 the IowaCare program, and the cost of the care provided to  
94 35 these employed individuals.

95 1 HEALTH CARE PROVIDER ACCESS. An expedited registration  
95 2 process is provided for health care providers who apply to  
95 3 participate in the volunteer health care provider program.  
95 4 The registration is to be completed within 15 days of  
95 5 application by the health care provider. In addition to the  
95 6 participating health care providers being deemed employees of  
95 7 the state for the purposes of the state tort claims Act, the  
95 8 participating health care provider is not subject to payment  
95 9 of claims arising out of the free care provided through the  
95 10 health care provider's own professional liability insurance  
95 11 coverage.

95 12 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK. The Iowa  
95 13 collaborative safety net provider network that was previously  
95 14 only referred to in session law is codified. The network  
95 15 includes community health centers, rural health clinics, free  
95 16 clinics, maternal and child health centers, the expansion  
95 17 population provider network for IowaCare, boards of health  
95 18 that provide direct services, Iowa family planning network  
95 19 agencies, child health specialty clinics, and other safety net  
95 20 providers. The bill directs the network to develop a  
95 21 pharmaceutical infrastructure for safety net providers and to  
95 22 implement a specialty care initiative in three communities in  
95 23 the state to determine various methods of addressing the issue  
95 24 of specialty care access in underserved areas.

95 25 MEDICAID, HAWK=I, AND IOWACARE. The premium requirement is  
95 26 eliminated for IowaCare members with family incomes equal to  
95 27 or less than 100 percent of the federal poverty level. School  
95 28 districts are required to forward information from the  
95 29 applications for the school breakfast or lunch program, for  
95 30 which federal funding is provided, to the department of human  
95 31 services to identify children eligible for enrollment in  
95 32 Medicaid and hawk=i. The use of bright futures for infants,  
95 33 children, and adolescents program is added as a benefit for  
95 34 hawk=i recipients, and the director of human services is  
95 35 required to aggressively pursue options for expanding the  
96 1 provider network under the IowaCare program.

96 2 HEALTH AND LONG-TERM CARE WORKFORCE REVIEW. The department  
96 3 of public health, in collaboration with the department of  
96 4 human services, the department of inspections and appeals, the  
96 5 department of workforce development, and other state agencies  
96 6 involved with relevant health care and workforce issues, is  
96 7 required to conduct a comprehensive review of Iowa's health  
96 8 and long-term care workforce, and to submit findings and  
96 9 recommendations to the general assembly and the governor on or  
96 10 before January 15, 2008.

96 11 ELECTRONIC PRESCRIBING. The department of public health,  
96 12 in cooperation with the board of pharmacy examiners, the Iowa  
96 13 pharmacy association, the Iowa medical society, the Iowa  
96 14 osteopathic medical association, the Iowa hospital  
96 15 association, and other interested entities, is required to  
96 16 develop a plan to implement the required use of electronic  
96 17 prescribing by all practitioners by January 1, 2010. The  
96 18 department is required to submit the completed plan to the  
96 19 general assembly on or before January 1, 2008.

96 20 CHILD WELFARE SERVICES. This division relates to child  
96 21 welfare services by requiring services to be provided to  
96 22 families of children removed from the home by court order and  
96 23 provides a temporary exception under certain circumstances to  
96 24 expenditure and budget targets for children placed in group  
96 25 foster care.

96 26 The dispositional provisions are amended in Code section  
96 27 232.52, relating to delinquency dispositions, and Code section  
96 28 232.102, relating to child in need of assistance dispositions.  
96 29 The affected dispositional provisions involve court orders for  
96 30 out-of-home placement of a child in which the court has made a  
96 31 determination that continuing the child in the home would be  
96 32 contrary to the child's welfare.

96 33 Code section 232.52 is amended to provide that unless the  
96 34 court has made a determination that further reasonable efforts  
96 35 are not required, reasonable efforts must be made to prevent  
97 1 permanent removal of a child from the child's home and to  
97 2 encourage reunification of the child with the child's parents  
97 3 and family. The reasonable efforts may include early  
97 4 intervention and follow-up programs implemented pursuant to  
97 5 Code section 232.191.

97 6 Code section 232.102 is similarly amended.

97 7 Under current law in Code section 232.143, the general  
97 8 assembly annually establishes, in an appropriation made to the  
97 9 department of human services, a statewide expenditure target  
97 10 for children in group foster care placements. Representatives  
97 11 of the department and juvenile court services then allocate

97 12 the statewide target among the department's service areas  
97 13 based upon a formula. Local representatives of the department  
97 14 and juvenile court services develop a plan for the service  
97 15 area to remain within the expenditure target. State payment  
97 16 for group foster care services is limited to those placements  
97 17 that comply with the plan, and the juvenile court is  
97 18 prohibited from ordering a group foster care placement that  
97 19 does not comply with the plan.

97 20 An exception is provided to allow a service area's budget  
97 21 target to be temporarily exceeded as necessary for placement  
97 22 of a child in group foster care when the child is age 13 or  
97 23 younger, a dispositional order has been entered for the  
97 24 child's placement in group foster care, and the child is  
97 25 placed in a juvenile detention facility awaiting placement in  
97 26 group foster care.

97 27 If such a placement is made, the department and juvenile  
97 28 court services are required to examine the cases of other  
97 29 children placed in group foster care for that service area.  
97 30 If the examination indicates it may be appropriate to  
97 31 terminate the placement for any of the cases, action to  
97 32 initiate a dispositional review hearing is required. In the  
97 33 dispositional review hearing, the court is required to  
97 34 determine whether needed aftercare services are available  
97 35 following termination of the placement and whether termination

98 1 is in the best interests of the child and the community.  
98 2 While the budget target is being exceeded, a juvenile court  
98 3 services office located within that departmental service area  
98 4 must notify the department within one business day of changes  
98 5 in dispositional orders involving children placed in group  
98 6 foster care.

98 7 LSB 1130JB 82  
98 8 pf:jp/gg/14.2